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Table of Contents

Acknowledgments/Disclaimer	3
List of Acronyms	5
Section I: Introduction and Context	8
1.1 Background	8
Section II: Highlights of the reporting period January	10
Country Context.....	10
Garment Industry Challenges.....	11
Section III : Milestones and key takeaways	13
Progress toward achieving results.....	13
Special stakeholders' gathering highlight serious concerns.	Error! Bookmark not defined.
Section IV: Compliance situation in the Haitian garment industry.....	19
Section V: Core labour standards non-compliance findings of the reporting period	27
Section VI: Better Work key activities toward sustainability.....	29
Annex 1: The TAICNAR Project and Reporting Requirements under the HOPE II Legislation	37
TAICNAR Program Component 1: Compliance Assessments and Remediation Support.....	38
TAICNAR Program Component 2: Technical assistance to strengthen the legal and administrative structures for improving compliance in the industry	38
Annex 2. Better Work's Service Delivery Model	41
Annex 3. The Better Work Compliance Assessment Methodology.....	45
Better Work Compliance Assessment Framework.....	45
Annex 4: Factories findings	62

List of Acronyms

ADIH	Association des Industries d'Haïti (Haitian Industry Association)
BMST	Bureau de la Médiatrice Spéciale du Travail (Office of Ombudsperson)
CAOSS	Conseil d'Administration des Organes de Sécurité Sociale (Board of Social Security Bodies)
CP	Compliance point
CSS	Conseil Supérieur des Salaires (Wages High Council)
CATH	Central Autonome Travailleurs Haïtiens (Autonomous Central of Haitian Workers)
CEDATHA	Centrale Démocratique Autonome des Travailleurs Haïtiens (Autonomous Democratic Central of Haitian Workers)
CFOH	Confédération des Forces Ouvrières Haïtiennes (Confederation of Haitian Workers Forces)
CNOHA	Centrale Nationale des Ouvriers Haïtiens (National Central of Haitian Workers)
CSH	Coordination Syndical Haïtienne (Haitian Trade Union Coordination)
CTH	Confédération des Travailleurs Haïtiens (Confederation of Haitian Workers)
CTSP	Confédération des Travailleurs des secteurs Publics et Privés (Confederation of Workers from the Public and Private Sectors)
CTMO-HOPE	Commission Tripartite de Mise en œuvre de la loi HOPE (Tripartite Commission for the Implementation of the HOPE Law)
EA	Enterprise Advisor

ESPM-BO	Entè Sendikal Premye Me-Batay Ouvriye
GOSTTRA	Groupeement Syndical des Travailleurs-eusses du Textile pour Réexportation d'assemblage (Union Group of Textile Workers for Re-export of the Assembly)
SOHSA	Syndicat des Ouvriers de HANSAE Haiti S.A (HANSAE Haiti S.A Workers Union)
UTL	Union des Travailleurs Libres (Union of Free Workers)
HELP	Haiti Economic Lift Program
HOPE	Haitian Hemispheric Opportunity through Partnership Encouragement Act
IOE	International Organization of Employers
ITUC	International Trade Union Confederation
MSDS	Material Safety Data Sheet
MAST	Ministère des Affaires Sociales et du Travail (Ministry of Social Affairs and Labor)
OFATMA	Office d'Assurance Accidents du Travail, Maladie etMaternité (Office for Work, Health and Maternity Insurance)
ONA	Office Nationale d'Assurance Vieillesse (National Office for Old-Age Insurance)
OSH	Occupational Safety and Health
PAC	Project Advisory Committee
PAP	Port-au-Prince, Haiti
PIC	Parc Industriel de Caracol (Industrial Park of Caracol)
PICC	Performance Improvement Consultative Committee
PIM	Parc Industriel Métropolitain (also referred to as SONAPI)
PPE	Personal Protective Equipment



SC/AFL-CIO	Solidarity Center/American Federation of Labor-Congress of Industrial Organizations
SDT	Table de Dialogue Social (Social Dialogue Table))
TAICNAR	Technical Assistance Improvement and Compliance Needs Assessment and Remediation
USDOL	United States Department of Labor

Section I: Introduction and Context

1.1 Background

Haiti's Apparel Industry in Numbers

The Haitian textile sector faces significant challenges due to the global economic climate and socio-political instability. Widespread gang activities in the metropolitan area of Port-au-Prince forced factories to halt operations for days or even weeks at a time. The closure of seaports and the main international airport in April and November 2024 further disrupted the transportation of raw materials and finished goods.

Although the reporting period is from July 2024 to December 2024, it is worth noting that at the start of 2024, Better Work Haiti listed 29 factories in its portfolio. Only 22 factories remained operational by December 2024, as seven had ceased operations permanently. In July, two factories in Port-au-Prince and three in the Northeast shut down. By November 2024, the estimated number of workers in the sector had fallen to 26,500—a loss of approximately 7,350 jobs compared to the previous synthesis report.

The decline in production is evident in data from OTEXA, the U.S. Department of Commerce's Office of Textiles and Apparel. According to trade reports published in November 2024, total annual exports were just under \$600 million, a significant drop from approximately \$824 million in 2023—a decline of roughly 28% in export revenues.

The textile industry, which accounts for approximately 90% of Haiti's national exports, is at a critical juncture. Revenue losses and job cuts are taking a severe toll on factory-dependent communities. Beyond global economic pressures, deteriorating security conditions in the metropolitan area have prompted an exodus of skilled personnel, particularly at the administrative and management levels, further straining factory operations.

Urgent stakeholder engagement and decisive intervention are essential to stabilizing the sector and preventing further economic decline.



22 ¹

Active factories
in the program



26,431 (X % loss ²)

Workers employed.
(63% women)



6 Active ³

industrial zones
hosting 90% of
textile



~ \$587,196 mi ⁴

Apparel exports in USD
million (YE current
month -28.76%)



29

Brands and
Retailers



7

Government
Partners



11

Active workers'
organizations

¹ Seven factories stopped operations due to challenges related to the country's recent situation.

² The closure of some factories and production reduction of other causes some termination and significant loss of employment mostly among production workers.

³ Multiple zones in the west department face difficult challenges due to gangs' unrests. This situation affected industrial areas to remain fully active for factories to keep operating.

⁴ The security situation of the country severely affected production, receiving of raw materials and shipment of finished goods.

Section II: Highlights of the reporting period July to December 2024

Country Context

The second half of 2024 brought significant political changes, notably the election of a new president, which altered the leadership of the Transitional Presidential Council. However, security challenges remain critical for the government, posing significant economic stability and recovery obstacles.

- ▶ **Presidential Council:** In October 2024, a new president of the Transitional Presidential Council was sworn in, though the council's composition remains unchanged. It consists of seven voting members and two non-voting members, and its mandate extends until February 2026.
- ▶ **New Prime Minister:** In November 2024, the Presidential Council appointed a new Prime Minister, who reshuffled the cabinet. However, key figures such as the Minister of Social Affairs and Labour, the Minister of Commerce, and the directors of ONA and OFATMA retained their positions, ensuring continuity in critical sectors.
- ▶ **Leadership and Challenges:** The new Prime Minister, a businessperson and former Haitian Chamber of Commerce and Industry member, inherited an unstable political and security landscape. Gang violence continues to disrupt daily life, particularly in the metropolitan area of Port-au-Prince.
- ▶ **Airport Security Incident:** In November, a major security incident occurred when heavy gunfire targeted the airport as three major U.S. airliners were landing. This led to the immediate suspension of all domestic and international flights. To date, the main international airport remains closed.
- ▶ **Security Measures:** The new Prime Minister has pledged to address the deteriorating security situation and oversee preparations for new elections,

prioritizing national stabilization and fostering an environment conducive to economic growth.

- ▶ September 2024, a small contingent of troops arrived from Jamaica and Belize to reinforce the Multinational Security Support mission (MSS) in Haiti.

The security situation in Haiti remains precarious. According to a report published by the United Nations Human Rights Office, gang violence claimed more than 5,000 lives in 2024, and the number of internally displaced persons reached several hundred thousand. By October 2024, United Nations experts estimated that over 80% of the capital was under gang control, severely disrupting economic activities, including factory operations in affected areas.

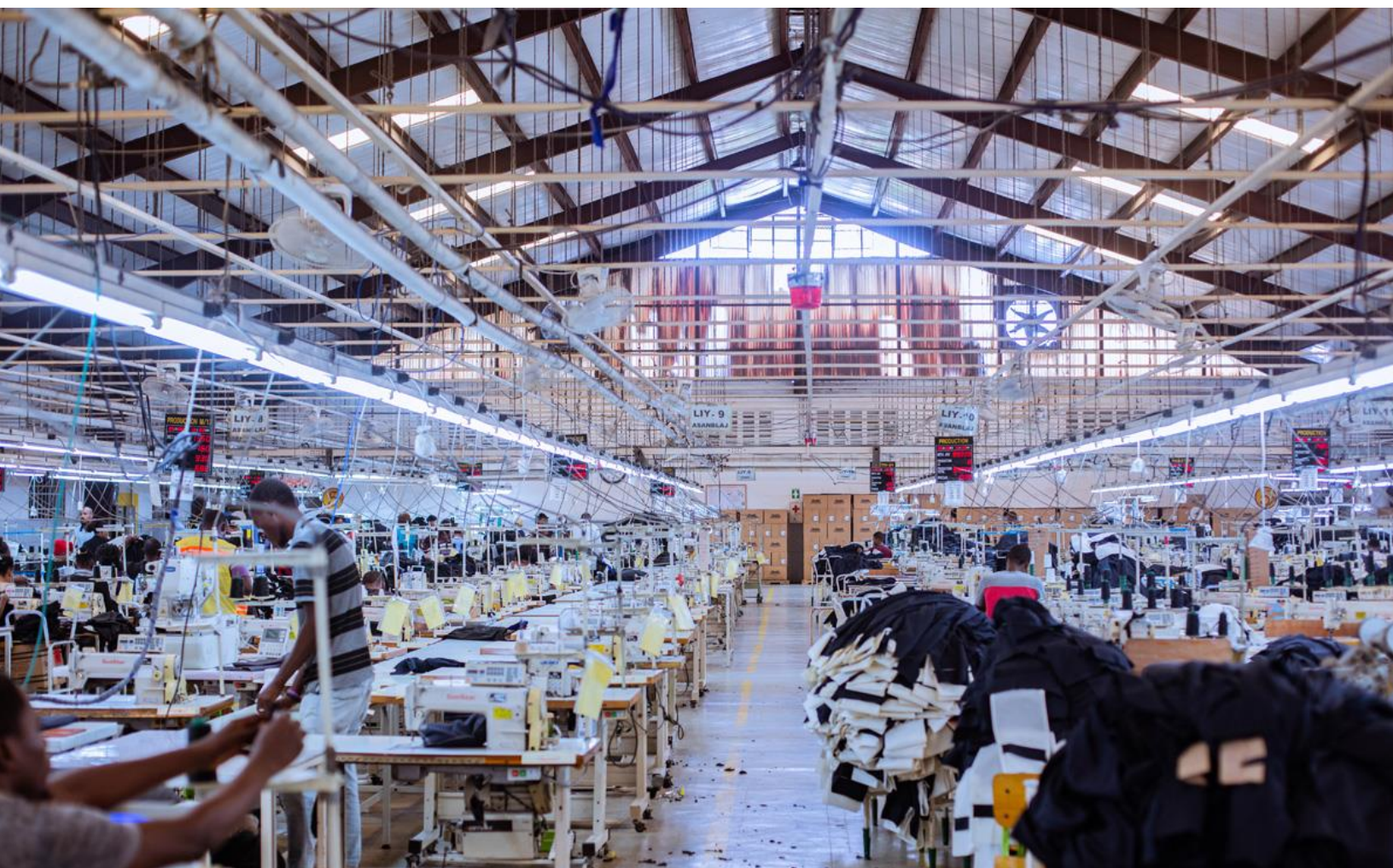
The success of the Presidential Council, the leadership of the new Prime Minister, and the impact of international security forces will be key factors in determining Haiti's path to recovery. A long-term solution requires addressing the root causes of gang violence, fostering economic development, promoting political stability, and strengthening public institutions.

Garment Industry Challenges

The Haitian garment industry is at a critical juncture, exhibiting fragility and resilience. Its ability to recover from the COVID-19 pandemic—regaining most lost jobs within a year—demonstrates this resilience. Despite persistent security challenges, factories have continued operations, with workers often risking their safety to report for duty. Even the factories that were temporarily closed in mid-2024 have managed to reopen, albeit with reduced capacity, staffing, and order volumes.

However, localized security concerns have led to frequent closures and scaled-back production in Port-au-Prince throughout the year. The recent incident in November 2024, involving gunfire striking U.S. airliners and the subsequent airport closure, which triggered additional factory shutdowns, underscores the sector's vulnerability. Improving security, particularly in the metropolitan area, is essential to ensure the smooth movement of goods and materials and guarantee worker safety.

Adding to these operational challenges is the uncertainty surrounding the renewal of the **HOPE/HELP trade preference program**, set to expire in September 2025. This looming deadline has heightened anxiety among industry stakeholders. International buyers require assurance that these trade benefits will continue, as their decisions directly impact Haitian factories. In the opinion of industry representatives and other stakeholders, failure to extend the HOPE II program could severely threaten the industry, potentially leading to widespread job losses and further economic distress.



Section III: Milestones and key takeaways

Progress toward achieving results.

FACTORY-LEVEL SOCIAL DIALOGUE MECHANISMS GENERATE ACTIONS TO REDUCE NON-COMPLIANCE WITH HAITIAN LABOUR LAW AND INTERNATIONAL LABOUR STANDARDS, INCLUDING NON-COMPLIANCE ISSUES AFFECTING WOMEN.

Better Work Haiti remains committed to its program goals despite ongoing national challenges. During this reporting period, the initiative focused on enhancing the capacity of participating factories to foster meaningful social dialogue at both the factory and sectoral levels. Factories received advisory services, assessments, and training to address non-compliance with Haitian labour law and international labour standards, including issues disproportionately affecting women.

To support these efforts, 856 participants—including 263 women—participated in 15 factory-training sessions and 15 industry seminars. Although Better Work Haiti encourages the factories to send more women participants, the final choice remains the prerogative of the factories. Better Work Haiti will continue to raise the factories' awareness about the increase participation of women in the training sessions. These sessions covered key topics such as workers' rights and responsibilities, effective communication, and the prevention of sexual harassment and gender-based violence. Additionally, Better Work Haiti conducted a specialized workshop on sexual harassment prevention, attended by representatives from three factories and one non-governmental organization. Participants received training materials to help them sustain and strengthen workplace dialogue to resolve labour issues.

Assessments and Advisory Services

Better Work Haiti conducted three hybrid and five virtual assessments from July to December. During hybrid assessments, inspectors from the Ministry of Social Affairs and Labour (MAST) were on site at the factory, while Better Work assessors participated online. However, security concerns in some parts of the metropolitan

area, made it difficult to access certain factories, preventing MAST inspectors from participating in some assessments. As a result, there was greater reliance on virtual evaluations, conducted via online meeting applications such as Zoom, Google Meet or Teams, as well as regular telephone communication or WhatsApp.. Additionally, technical communication challenges between factory staff and Better Work Haiti teams caused these assessments to take longer than expected.

Identified non-compliance issues were addressed in advisory sessions, where factories developed improvement plans, including training initiatives and corrective actions. In addition, Better Work Haiti conducted 40 advisory service visits to participating factories, focusing on:

- Enhancing Occupational Safety and Health (OSH) management systems
- Improving human resources (HR) practices
- Addressing industrial relations issues, such as employee dismissals

Discussions also covered the impact of the country's security situation on the garment sector. Workers expressed growing concerns about job losses and sought strategies to improve stability and security within the industry.

TRIPARTITE PARTNERS AT THE SECTORAL LEVEL ENGAGE IN SUSTAINED DIALOGUE THAT GENERATES ACTION TO IMPROVE WORKING CONDITIONS AND WORKER WELL-BEING, INCLUDING FOR WOMEN WORKERS.

At the sectoral level, tripartite partners engage in ongoing dialogue to drive action that enhances working conditions and promotes worker well-being, including for women. A capacity-building workshop was convened to support this effort, bringing together key stakeholders to discuss strategies for fostering a fair working environment. The session, facilitated by industry experts, focused on practical solutions for addressing workplace challenges and promoting a violence and harassment-free workplace. Discussions also highlighted the broader impact of these initiatives, extending beyond the workplace into local communities. The workshop culminated in drafting a

sector-wide action plan, which will be reviewed by the Project Advisory Committee (PAC) before being shared with stakeholders for final feedback and approval.

Special stakeholders' gathering highlight serious concerns.

During this reporting period, the Project Advisory Committee (PAC) held several meetings to discuss key issues, particularly the renewal of the HOPE law. To advance this effort, members formed a subcommittee to develop a tripartite proposal submitted to the U.S. government to support the renewal of the HOPE/HELP trade agreement. The proposal outlined the specific roles of key stakeholders—government, employer representatives, and worker representatives—individually and collectively in addressing ongoing non-compliance issues within factories benefiting from the law.

In the document, through the Ministry of Social Affairs and Labour (MAST), the government commits to reforming the Labor Administration Directorate to align with ILO Convention No. 81. Additionally, it pledges to restructure the social security system, including the Office for Old Age Insurance (ONA) and the Office for Work-related Accident, Maternity, and Health Insurance (OFATMA). The government also commits to increasing labor inspections conducted by MAST's inspectorate division and joint inspections in collaboration with ONA and OFATMA representatives.

Employer representatives, through the Association of Haitian Industries (ADHI) and worker representatives, commit to working toward a sector-wide collective bargaining agreement. They also pledge to collaborate with relevant state institutions to strengthen social dialogue and to provide their members with guidance on the requirements of the HOPE/HELP Act and national and international labor standards.

GOVERNMENT INSTITUTIONS SUCH AS THE MAST LABOR INSPECTORATE, ONA, AND OFATMA HAVE INCREASED ORGANIZATIONAL CAPACITY TO PROVIDE ELIGIBLE SERVICES TO WORKERS.

Better Work Haiti continues to collaborate with the Ministry of Labour and the Office of the Ombudsperson for the Textile Sector to strengthen its capacity to serve constituents effectively. Under the auspices of the Office of the Ombudsperson and with support from Better Work Haiti, the Ministry of Labour's inspectorate division, along with representatives from ONA and OFATMA, held a series of high-level meetings to address challenges affecting service delivery and improve compliance with social security regulations.

The discussions began with a two-day working session, in October 2024, led by the Ministry of Labour's chief legal advisor, focusing on calculating social security contributions. Participants aligned on a standardized method for these deductions, ensuring consistency with the labour code and the legal framework governing social security contributions. Additionally, they clarified their roles and responsibilities as collecting agents, improving compliance with social security requirements across the sector.

A follow-up meeting between the MAST Labour Inspectorate, ONA, and OFATMA centered on developing a collaborative framework for joint inspections in the textile sector. As a result, the group drafted a joint inspection plan targeting four factories in Port-au-Prince. While the initial plan included visits to the Northeast region, travel restrictions have temporarily postponed that portion of the initiative. These efforts have yielded tangible results—more than 3,200 workers have received their health insurance cards from OFATMA, ensuring greater access to essential healthcare services.

PROMOTING SOCIAL DIALOGUE IN THE GARMENT SECTOR.

On August 26, 2024, a high-level workshop was held in Port-au-Prince under the theme: "Social Dialogue: An Essential Condition for Building Decent Work in the Clothing Industry."

Facilitated by the International Labour Organization (ILO) through the Better Work Haiti program, this event brought together key stakeholders from the garment sector. The Office of the Ombudsperson for the Textile Sector, in

collaboration with national partners—including the Ministry of Commerce and Industry (MCI), the Ministry of Social Affairs and Labor (MAST), central workers' unions, and the Association of Industries of Haiti (ADIH)—as well as international partners such as the United States Department of Labor (USDOL) and the ILO, engaged participants in discussions on strengthening social dialogue. The workshop provided a platform for stakeholders to examine their role in addressing the current socio-economic challenges and fostering decent work in the sector.

Participants identified key strategies to promote open, sincere, and inclusive social dialogue through these discussions. The event also allowed stakeholders to explore solutions to the industry's pressing challenges.

Following the workshop, social partners committed to advancing initiatives that reinforce social dialogue. The agenda included:

- ▶ Relaunching the social/regional dialogue table.
- ▶ Reactivating the workshop to overhaul the Haitian Labour Code, finalizing and submitting it for stakeholder approval.
- ▶ Seeking technical support from the ILO to encourage trade union participation in the Labour Code revision process.
- ▶ Enhancing the capacity of social protection organizations such as OFATMA and ONA.

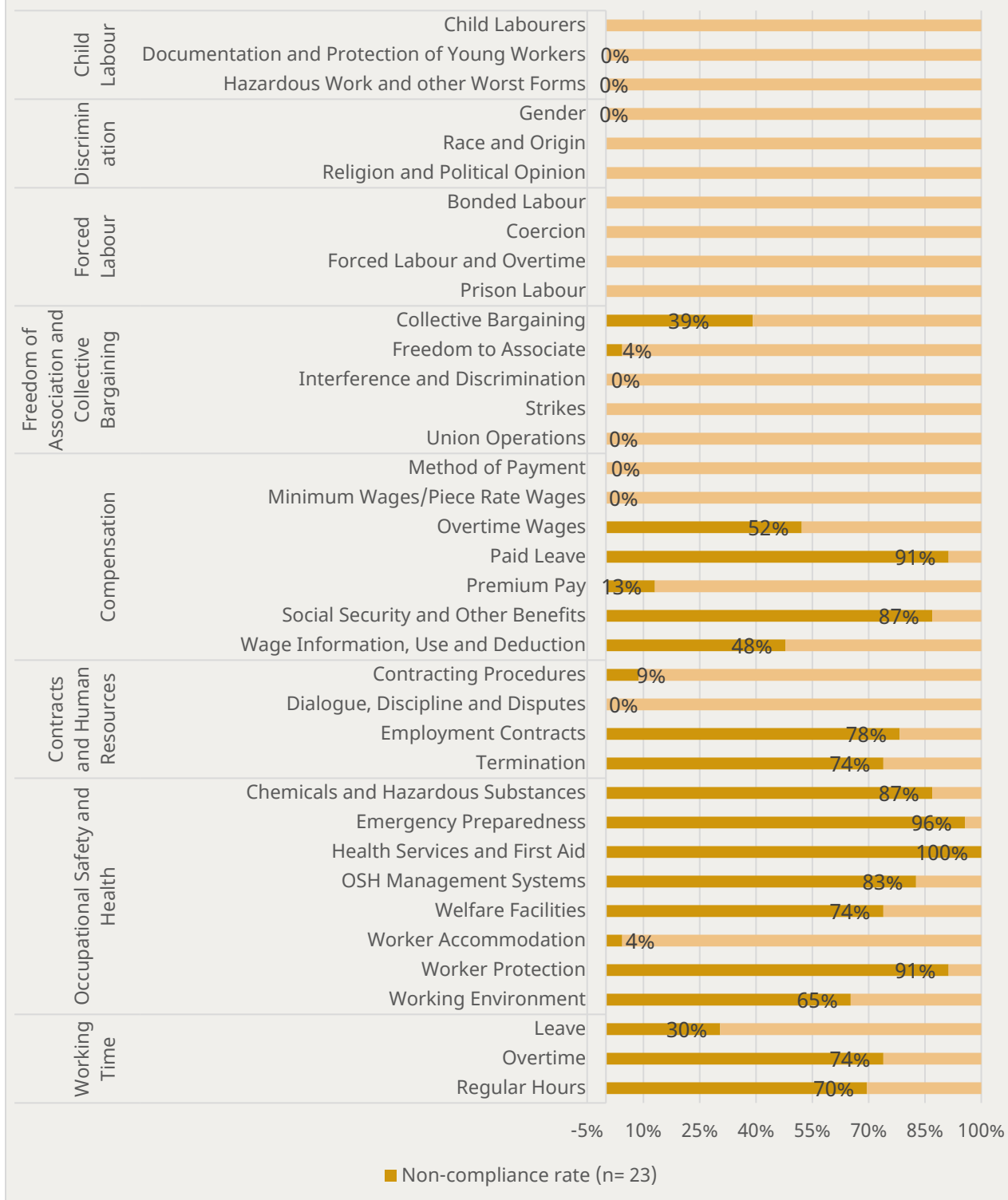
Section IV: Compliance overview in the Haitian garment industry

The overall trend of non-compliance in the Haitian garment industry

This section presents a comprehensive overview of non-compliance findings from 23 factories that participated in assessments at least once between December 2023 and December 2024. The data contained within this report reflects the most recent assessment results for these factories. The overall non-compliance rate is calculated based on the total number of factories that exhibit non-compliance in at least one question within at least one compliance category.

Between July and December 2024, Better Work Haiti conducted eight new assessments—five virtual and three hybrids—with support from Ministry of Social Affairs and Labour inspectors. Some factories were assessed later than originally scheduled due to temporary closures for security reasons. Nonetheless, their factory tables will reflect any improvements made since previous assessments. Improvement plan verifications were conducted either through on-site visits or virtually via documentation requests during advisory services, which included discussions with the bipartite committee representing both workers and management. Additionally, two factories have permanently closed and are not included in this report. The charts below delineate the non-compliance findings for the 23 assessed factories, with non-compliance rates expressed as percentages. Acknowledging that these reports are generated biannually, despite annual assessments, results in issues documented across two consecutive synthesis reports.

Chart 1 - Non-compliance Rates by Compliance Point - Jan - Dec 2024



SST findings highlight need for continued intervention

The Occupational Safety and Health (OSH) cluster continues to be a priority for Better Work Haiti. Better Work Haiti continues to offer targeted training and industry seminars to factories, focusing its advisory services on the compliance points where the factories seem to struggle the most. Better Work Haiti also engages with the national stakeholders, particularly the social security apparatus, where their participation can positively influence the remediation process.

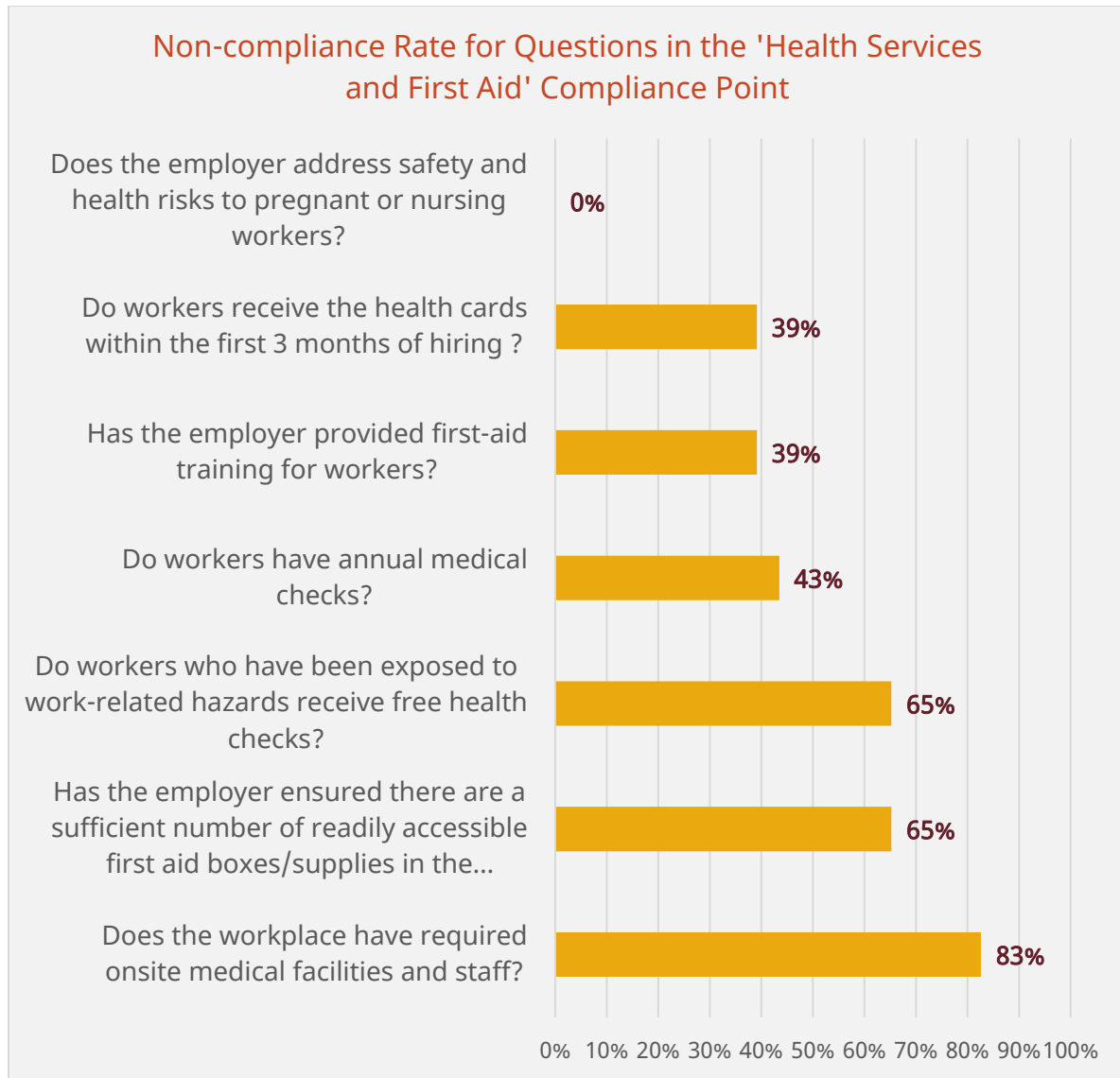
- ▶ **Health Services and First Aid:** One of the compliance points in the OSH cluster that requires support from the government stakeholders, where their intervention could have a positive impact.
- ▶ **Onsite medical facilities and staff:** The current data revealed that (83%) or 19 out of 23 factories do not have the required medical facility and staff. The non-compliance generally concerns the number of nurses as required by the Labor Code, even though the clinic may exist within the factory. There is a particular case in the Northeast where the industrial park has a medical facility. However, most of factories do not have a medical facility and staff within their individual buildings. Furthermore, with its current staffing, the park's facility does not have enough staff according to the labor code.
- ▶ **First aid boxes:** While all factories have enough first aid boxes on the floor, the non-compliance stems from the inventory of supplies. The current data show a non-compliance rate of 65% (15 factories). The main concern is that the first aid boxes do not have all the supplies listed in their inventory sheet. Although the factories generally assign a person who is responsible to monitor the inventory on a weekly basis, there is often a lack of follow up to ensure that all the supplies listed are present in the first aid boxes.
- ▶ **Free Health checks for Workers Exposed to Work-related Hazard:** Workers who are continuously exposed to chemical and hazardous products are entitled to free medical checks every six months. This health check should be provided by the government when the factory pays for

the health card, or Carte de Santé in French (CDS). We found that several factories did not pay for the health card and thus do not request OFATMA to perform the medical check. There is also the fact that OFATMA itself often fails to respond to factories' request for health services to be performed. Currently the data show a 65% non-compliance rate.

- ▶ **Free Medical Checks:** Workers are also entitled to receive free medical checks within the first three months of hiring, as well as free annual medical checks. These checks are also supposed to be performed by OFATMA when the factory pays for the health card. However, several factories provide the medical checks to their workers without OFATMA support. The data shows that 39% of factories do not provide the health check within the first three months of hiring, while 43% do not provide the free annual check.
- ▶ **First Aid training:** Employers are recommended to provide first-aid training to at least 10 percent of the workforce. The data shows that 9 out of 23 factories (39%) are non-compliant under this question.
- ▶ **Emergency preparedness** is an essential aspect of compliance within the Occupational Safety and Health (OSH) cluster, which includes eleven questions. Given the current rates of non-compliance, addressing this area presents an opportunity for improvement. For instance, the issue of emergency exits and escape routes has the highest non-compliance rate at 78%. This indicates a potential area for focus and enhancement. Similarly, the question related to the availability of adequate firefighting equipment show a non-compliance rate of 57%.

Moreover, the accessibility of exit doors during working hours, with a non-compliance rate of 50%, reflects another area where organizations can make meaningful adjustments. On a positive note, the question related to storing flammable materials has achieved a commendable non-compliance rate of 0% in the last reporting period. By addressing the challenges in emergency preparedness, organizations can create a safer work environment and ensure compliance.

The following chart outlines the questions in the Health Services and First Aid compliance point and the non-compliance rate for each question.



OSH as Fundamental Principle and Right at Work (FPRW)

The Declaration on Fundamental Principles and Rights at Work (1998) was amended in 2022 to add a safe and healthy working environment as a fundamental principle and right.⁵ As a result, the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No.187) are now considered as fundamental conventions.

The obligation to respect, promote and realize the four fundamental principles and rights at work arises from a member state's membership in the ILO, *regardless of whether they have ratified the ILO's fundamental Conventions*. Better Work conducts factory assessments using a Compliance Assessment Tool (CAT) that is aligned with core labour standards and national law. Where national law either fails to address or lacks clarity around a relevant issue regarding conditions of work, Better Work establishes a benchmark based on international standards and good practices.

Better Work assesses the Fundamental Rights at Work in line with the fundamental conventions, even if not ratified by the country in question. National laws remain relevant, but the minimum acceptable standard is aligned to the fundamental conventions if a country's law has been determined to fall below the principles and rights in a fundamental convention.⁶

⁵ Previously, the fundamental principles and rights at work and their corresponding fundamental, or core, conventions included:

- freedom of association and the effective recognition of the right to collective bargaining (Conventions 87 and 98);
- the elimination of all forms of forced or compulsory labour (Conventions 29 and 105);
- the effective abolition of child labour (Conventions 138 and 182);
- the elimination of discrimination in respect of employment and occupation (Conventions 100 and 111)

⁶ These determinations are made based on comments of the ILO supervisory bodies, and in particular the Committee of Experts on the Application of Conventions and Recommendations, and in consultations with the International Labour Standards Department (NORMES).

In consultation with the NORMES department, Better Work has drafted revisions to the OSH cluster of the CAT. The programme has not yet implemented these revisions to allow time for factories to be informed of the changes. With OSH becoming a fundamental right at work, Better Work plans to work with constituents, brands and donors, and identify more effective strategies to address persistent OSH non-compliance issues.

Possible approaches include an increased focus on OSH risks as zero tolerance issues. In addition, when looking at the root causes of OSH non-compliance issues, Better Work will focus both inside and beyond the factory to ensure that parties outside the factory who contribute to OSH issues are engaged to identify sustainable solutions, including, for example, the industrial park authorities.

- ▶ **Compensation priorities:** The data compiled for the compensation cluster reveals persistent non-compliance in certain areas despite improvements. Recognizing these challenges, Better Work identified a group of factories in the Northeast facing similar issues related to compensation and conducted Training of Trainers (ToT) sessions to equip factory personnel with the necessary knowledge and skills to improve compliance. Below, we will delve deeper into areas of persistent non-compliance, explicitly focusing on overtime wages, paid leave, and social security benefits, to assess factory progress toward full compliance.
- ▶ **Overtime Pay Discrepancies:** 43% of factories were found to be incorrectly compensating workers for overtime work after 6 PM. Workers receive the incorrect overtime pay because the overtime rate is not being applied to their correct base salary. Better Work believes that the ToT training brings clarity to managers and forecasts a positive impact on this compliance point for the upcoming period. Nevertheless, the programme noticed the need to continue supporting factories to implement sustainable practices, address special situations, and enhance their personnel's knowledge.

- ▶ **Paid Leave Shortfalls:** The data revealed that the overall non-compliance rate related to paid leave is 91%. However, the non-compliance rate for each question is between 52% and 63%, with the question related to the correct payment of weekly rest days being the highest. Our data indicate that those 12 factories incorrectly paid for the weekly rest day based on minimum salary, 52% of factories incorrectly paid both sick and maternity leave, and 57% paid for annual leave incorrectly.
- ▶ During this reporting period, 74% of the factories did not collect and forward the appropriate contributions to OFATMA for maternity and health insurance. Meanwhile, 70% were non-compliant regarding contributions to ONA. However, this time, a lower percentage of the factories (48%) failed to pay for OFATMA work-related accident insurance properly. Non-compliance related to OFATMA and ONA payments often results from deducting contributions based on the minimum salary instead of the basic salary, which includes all types of earnings, such as production quota, except for overtime. There are also cases where factories sent payments to ONA or OFATMA late. Some factories only contribute the employers' portion to OFATMA for maternity and health insurance and do not deduct and send the workers' contribution to OFATMA, hence the non-compliance. The data also revealed that 30% of factories did not correctly pay workers the annual salary supplement or bonus because it was not based on their average daily earnings.

Section V: Core labour standards non-compliance findings of the reporting period

FREEDOM OF ASSOCIATION: VIOLATIONS OF COLLECTIVE BARGAINING AGREEMENT

Better Work did not find any evidence of core labour standard violations during the assessments at the factories. However, Better Work advisors received two complaints from dismissed union workers during the period. The complaints were thoroughly investigated, and the findings were shared with the factories.

FREEDOM OF ASSOCIATION: FREEDOM TO JOIN A UNION.

According to the investigation of Factory 1, one union member was terminated shortly after the union coordinator submitted a list of new members to the administration of the park. According to the factory, they were unaware that the worker was a union member because they had not received the new list from the park's administration or other forms of communication, such as a WhatsApp group message often used to communicate with factory managers. The factory claimed they terminated the worker for leaving work without authorization one day and his past disciplinary record. The worker explained that he left because he had received information from the supervisors that they would work half a day. In fact, according to time records reviewed by Better Work advisors, 22 workers had left early that day. The union member was the only one dismissed. Better Work Haiti found that the dismissal was not justified. Better Work recommends that the employer reinstates the union member with compensation for lost wages and develops comprehensive disciplinary and termination policies and procedures. At the time of this report, we had no evidence that the factory took appropriate action.

Better Work Haiti received a complaint from an executive member of a union from Factory 2. The union member claims he was dismissed because he

reported to the Office of the Ombudsperson factory management's arrangements for workers to come to work to complete their quota on a Saturday without compensation for that day's work. One of the factory's representatives said he was terminated because he spread falsehoods about the factory. Another said that the reasons for the termination of the union executive member are various, such as inappropriate behaviour, verbal threats, arrogance, and unjustified absences

Better Work found that the union member's termination is disproportionate to his behaviour, especially given that it occurred shortly after he contacted the Office of the Ombudsperson, which is legitimate trade union activity.

Better Work recommends that the factory reinstate the terminated union member with compensation for back pay and engage in dialogue to find mutually agreeable arrangements for the executive committee member to perform union activities.

Section VI: Better Work Key Activities Toward Sustainability

This section provides an update on the key training activities carried out by Better Work Haiti from July to December 2024. Due to the local context, Better Work Haiti delivered these training services mostly virtually per its mandate under the Hope II law. Nevertheless, some training sessions were conducted virtually and in person for factories in the northeast.

TRAINING

During the reporting period, the programme delivered a comprehensive range of training initiatives, including 15 training sessions, 15 industry seminars, and workshops. A key focus was placed on enhancing occupational safety and health through training modules on emergency preparedness, chemical management, and risk management and control, with the aim of urging factories to address the related non-compliance issues.

An industry seminar on emergency management, attended by 12 factories and 90 participants (including 27 women) provided a comprehensive overview of emergency preparedness beyond fire evacuation. Participants gained valuable insights into the essential components of effective emergency preparedness procedure and their critical importance within the factory. By the end of the training, the participants were equipped with the knowledge necessary to understand the scope of emergency preparedness, assess the main emergency risks within their respective factories, and recognize the crucial role of proper emergency procedures in preventing human casualties, minimizing property damage which can have significant legal and financial consequences for the factory.

- **Chemical Management:** An industry seminar on chemical management systems was conducted, engaging 75 participants, including 20 women, from seven factories. Notably, representatives from the Office of the Ombudsperson and inspectors from the Ministry of Social Affairs and

Labour (MAST) participated. The seminar aimed to equip participants with practical tools and best practices for effectively handling chemicals to be shared with other personnel at their respective workplaces. Participants gained valuable knowledge on proper chemical storage, labelling procedures, and using Material Safety Data Sheets (MSDS). The seminar also emphasized strategies for preventing chemical exposure.

- ▶ **Risk Management:** Better Work Haiti's training team conducted an industry seminar on risk management and control. This training focused on equipping participants with the knowledge and skills to identify and mitigate potential workplace hazards before they occur proactively. The training module incorporated practical templates and activities to strengthen participants' knowledge of core principles of risk management that can be readily implemented in the workplace. 32 workers and managers, including six women, participated in this valuable training session.
- ▶ **Labour Law Training of Trainers (ToT):** Better Work Haiti conducted a three-day Training of Trainers (ToT) program on labour law for factories in the Northeast. The training curriculum encompassed key areas such as Human Resources and contract management, compensation and working time, and an introduction to international core labour standards. The target audience for this training comprised HR managers and compliance managers within the factories. Upon completing the training, participants were equipped to replicate the training within their respective factories based on the training plan developed during the sessions. A total of 24 participants, including 12 women, successfully completed the three-day program.

COLLABORATION WITH THE GOVERNMENT

- ▶ **Taxation Training:** In collaboration with the Ministry of Finance, through the General Directorate for Taxes (DGI), Better Work Haiti facilitated two training sessions in the Northeast. These sessions focused on educating participants on various types of taxes levied on both workers and employers, including methods for calculating and withholding these

taxes. The training emphasized the fiscal responsibilities of enterprises as outlined in the fiscal code.

The first session, attended by 28 participants (including 11 women) from eight factories, the CODEVI industrial park, and representatives from ONA and OFATMA, targeted financial officers and accountants.

The second session focused on factory-level union representatives. It had 31 participants (including two women) and representatives from ONA and MAST.

Inspector Training: Better Work Haiti provided logistical support to MAST to facilitate a training session for labor inspectors in the North and Northeast. This training aimed to equip inspectors with the necessary knowledge and tools to effectively conduct labour inspections by legal requirements. The training curriculum encompassed inspection methodologies, fundamental rights, and workplace relations. MAST's Chief Legal Advisor and Assistant Director of Labour conducted the training. 28 labour inspectors and conciliators, including eight women, from the regional offices of Fort-Liberte, Ouanaminthe, and Cap Haitian participated in this three-day training session.

Lessons learned and Recommendations for the Haitian garment sector

LESSONS LEARNED

1. Economic and Security Challenges Have Deepened the Crisis

- ▶ Declining Production and Job Losses: The garment sector has lost approximately 7,350 jobs over the past year, with only 22 out of 29 factories remaining operational by December 2024.
- ▶ Security Concerns: Widespread gang violence and political instability have severely disrupted factory operations, leading to factory shutdowns.
- ▶ Export Decline: Haitian apparel exports declined by 28.76% in 2024 compared to the previous year.

2. HOPE/HELP Trade Preference Program Uncertainty

- ▶ The impending expiration of the HOPE/HELP trade preference program in September 2025 creates uncertainty among investors and international buyers.
- ▶ Industry stakeholders and the Haitian government are actively lobbying for an extension, highlighting its importance for sustaining the sector.

3. Compliance Issues Persist

- ▶ Occupational Safety and Health (OSH): The non-compliance rate for chemical and hazardous substances management is 87%.
- ▶ Emergency Preparedness Deficiencies: 78% of factories lack accessible emergency exits, and 57% fail to maintain escape routes and firefighting equipment.
- ▶ Compensation Violations: 43% of factories fail to pay overtime wages correctly, and 91% have issues with paid leave policies.

- ▶ Social Security Contributions: 70% of factories do not correctly forward social security contributions to ONA, and 48% fail to pay work-related accident insurance to OFATMA.

4. Worker Rights and Union Suppression Issues

- Freedom of Association: Two unjustified dismissal cases of union workers were identified, and the affected factories have not yet reinstated the employees.
- Social Dialogue Needs Strengthening: While some factories engage in bipartite discussions, many still lack proper mechanisms for collective bargaining.

5. Better Work Haiti's Capacity-Building Efforts Show Progress

- ▶ 1,200+ factory workers and managers participated in training sessions on OSH, emergency preparedness, and social dialogue.
- ▶ Increased collaboration with the Haitian government has improved labor inspection procedures.
- ▶ Factories in the Northeast received specialized training in wage calculation, taxation, and compliance management.

RECOMMENDATIONS

A. Strengthening Industry Stability and Policy Advocacy

1. Urgently Secure HOPE/HELP Trade Program Renewal

- ▶ The government must intensify diplomatic efforts to ensure the program's extension beyond 2025.
- ▶ Employers and trade unions should jointly lobby U.S. lawmakers to emphasize the impact of HOPE/HELP on job creation in Haiti.

2. Enhance Security Measures in Industrial Zones

- ▶ Deploy targeted security forces to industrial zones to prevent factory shutdowns due to gang violence.

- ▶ Introduce emergency response protocols to protect workers and ensure continuity in production.

3. Diversify Trade Partners Beyond the U.S.

- ▶ Explore European and Latin American markets to reduce over-reliance on the U.S.
- ▶ Develop local value chains to minimize dependency on imported raw materials.

B. Improving Compliance and Working Conditions

1. Address Occupational Safety and Health (OSH) Deficiencies

- ▶ Implement a sector-wide safety audit to identify critical areas needing immediate improvement.
- ▶ Increase OSH training for workers and managers, focusing on proper chemical handling, emergency preparedness, and fire safety.

2. Ensure Proper Wage Payments and Social Security Compliance

- ▶ Factories should correct wage calculation errors, particularly in overtime pay, leave payments, and bonuses.
- ▶ Improve enforcement mechanisms for timely ONA and OFATMA contributions, ensuring workers receive full social security benefits.

3. Strengthen Labor Inspections and Accountability

- ▶ Increase the number of labor inspectors and provide them with enhanced training in factory auditing.
- ▶ Introduce digital reporting systems for transparency in wage payments and compliance tracking.

C. Strengthening Social Dialogue and Labor Rights

4. Promote Collective Bargaining Agreements

- ▶ Employers and trade unions should establish sector-wide agreements to prevent disputes over wages and working conditions.
- ▶ Introduce binding mechanisms for dispute resolution to protect workers from unfair dismissals.

5. Improve Worker Representation and Participation

- ▶ Strengthen factory-level bipartite committees to ensure worker grievances are addressed proactively.
- ▶ Introduce an independent grievance mechanism to handle disputes related to worker terminations and disciplinary actions.

D. Building Industry Resilience and Sustainability

6. Adopt Technology for Efficiency and Sustainability

- ▶ Encourage factories to invest in automation and lean manufacturing practices to improve productivity.
- ▶ Promote environmentally friendly production practices like water and energy efficiency measures.

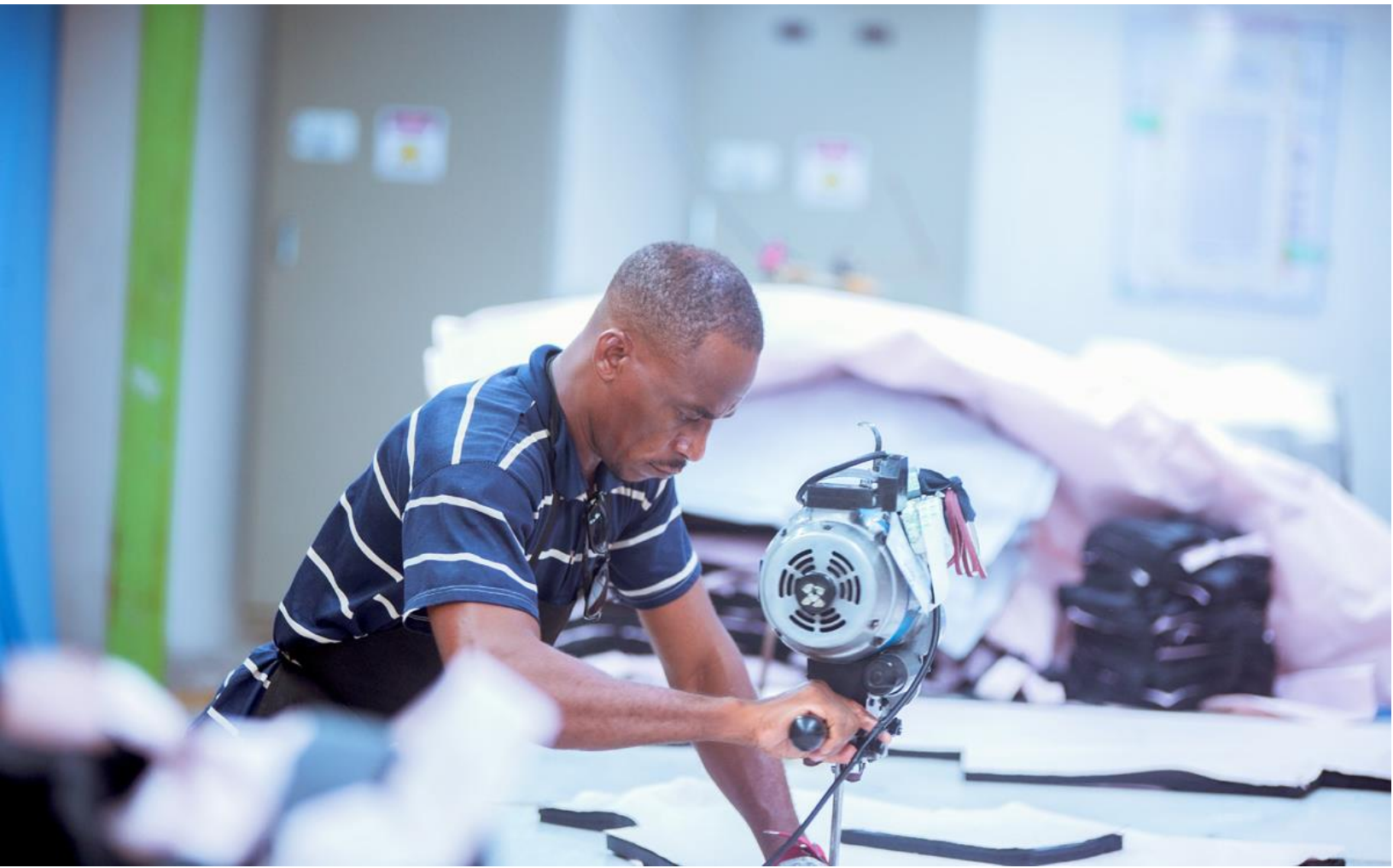
7. Expand Workforce Development Programs

- ▶ Launch vocational training initiatives to upskill garment workers, particularly in high-value segments like fashion design and technical textiles.
- ▶ Develop leadership-training programs for factory managers to improve compliance and productivity.

CONCLUSION

The Haitian garment sector is at a critical turning point. While political instability, security threats, and declining exports persist, strategic interventions in compliance, worker rights, and trade policy can drive recovery. Urgent action is required to renew HOPE/HELP, improve labor standards, and ensure industry sustainability.

Implementing these recommendations will help the sector regain investor confidence, create more jobs, and secure Haiti's position in the global apparel market.



Annex 1: The TAICNAR Project and Reporting Requirements under the HOPE II Legislation

In 2006, the United States Congress enacted the Haiti Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE), expanding preferences for Haitian apparel established under the Caribbean Basin Economic Recovery Act, thus enabling the Haitian apparel industry to benefit from new duty-free preferences. In 2008, these preferences were further expanded through HOPE II legislation, which established new standards and programs strengthening and monitoring working conditions in the apparel sector. On May 24, 2010, the Haiti Economic Lift Program of 2010 (HELP Act) was signed into law to expand existing preferences to contribute to Haiti's economic growth and development in both the textile and apparel sectors. Among its provisions, the HELP Act extended almost all the trade preferences established under HOPE and HOPE II. In 2015, the US Government extended the Haiti HELP/HOPE provisions until 2025.

To benefit from HOPE/HOPE II/HELP, Haiti was required to establish an independent Labor Ombudsman appointed by the President of the Republic in consultation with the private sector and the trade unions. Haiti was also required to work with the ILO to develop a technical assistance program to (i) assess and promote compliance with core labor standards and national labor law in the factories that are eligible for tariff advantages under HOPE II and (ii) provide assistance to the Government of Haiti in order to strengthen its capacity in the process of inspection of facilities.

Finally, Haiti needed to develop a mechanism for ensuring that all producers benefiting from the HOPE II trade preferences participated in the TAICNAR program. This was referred to in the legislation as the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) program. The TAICNAR program consists of two components:

TAICNAR Program Component 1: Compliance Assessments and Remediation Support

The HOPE law states that the first component of the TAICNAR program is “to assess compliance by producers listed in the registry described in paragraph (2) (B) (i) with the conditions set forth in subparagraph (B) and to assist such producers in meeting such conditions.”

Better Work has been covering this part of the TAICNAR program since its launch in 2009. It must be noted that Better Work offers several services that go beyond the requirements of the HOPE legislation, in particular the collaboration with international brands through sharing of factory assessment reports, joint support for factories regarding the improvement plan used during advisory services (corrective action plan), specific training and specific projects and events such as the annual buyers and multi-stakeholder’s forum. With the introduction of fees to be paid by factories for participation in the Better Work Haiti program since 2016, it has been decided that non-paying factories will receive all Better Work core services (advisory, training, and one annual assessment) in line with the requirements of the HOPE legislation. Factories that pay their subscription fee will have access to the full offer of Better Work services beyond core services only.

TAICNAR Program Component 2: Technical assistance to strengthen the legal and administrative structures for improving compliance in the industry

The HOPE law states that the second component of the TAICNAR program is “to provide assistance to improve the capacity of the Government of Haiti – (I) to inspect facilities of producers listed in the registry described in paragraph (2)(B)(i); and (II) to enforce labor laws and resolve labor disputes, including through measures described in subparagraph E.”

The ILO has been conducting different activities under this component, mainly in the context of the USDOL-funded ILO/MAST Capacity Building project, which aimed to strengthen the Ministry's capacities to improve apparel factories’

compliance with international standards and national labor laws. The project ran from 2014 to 2017 and was closely linked to the Better Work program.

As of 2018 and with Better Work's new 5-year strategy in Haiti, the program will continue to build on the efforts of this MAST capacity-building program. The revised project strategy emphasizes the capacity building of all tripartite constituents – Government, employer, and worker organizations – as part of the sustainability efforts of the Better Work program.

The HOPE II law specifies which information needs to be included in the biannual reports published by the TAICNAR program regarding the reporting requirements. See the text box below for the original text of the law.



SEC. 15403. LABOR OMBUDSMAN AND TECHNICAL ASSISTANCE IMPROVEMENT AND COMPLIANCE NEEDS ASSESSMENT AND REMEDIATION PROGRAM.

[...] (D) BIENNIAL REPORT. —The biennial reports referred to in subparagraph (C)(i) are a report, by the entity operating the TAICNAR Program, that is published (and available to the public in a readily accessible manner) on a biennial basis, beginning 6 months after Haiti implements the TAICNAR Program under this paragraph, covering the preceding 6-month period, and that includes the following:

(i) The name of each producer listed in the registry described in paragraph (2)(B)(i) that has been identified as having met the conditions under subparagraph (B).

(ii) The name of each producer listed in the registry described in paragraph (2)(B)(i) that has been identified as having deficiencies with respect to the conditions under subparagraph (B) and has failed to remedy such deficiencies.

(iii) For each producer listed under clause (ii) —

(I) a description of the deficiencies found to exist and the specific suggestions for remediating such deficiencies made by the entity operating the TAICNAR Program.

(II) a description of the efforts by the producer to remediate the deficiencies, including a description of assistance provided by any entity to assist in such remediation; and

(III) with respect to deficiencies that have not been remediated, the amount of time that has elapsed since the deficiencies were first identified in a report under this subparagraph.

(iv) For each producer identified as having deficiencies with respect to the conditions described under subparagraph (B) in a prior report under this subparagraph, a description of the progress made in remediating such deficiencies since the submission of the prior report, and an assessment of whether any aspect of such deficiencies persists. [...]

Annex 2. Better Work's Service Delivery Model

The key principles of Better Work's revised service model are ownership, accountability, dialogue, and partnership. The core services factories offer are advisory services, an annual assessment, and training services.

Better Work's service delivery model stresses the importance of advisory services with a stronger focus on assistance on management systems, root cause analysis, and continuous learning. Better Work acknowledges the fact that auditing alone cannot contribute to sustainable remediation of non-compliances. Assessments provide a snapshot of the compliance issues, yet they do not add significant value to improvements of factories' compliance performance. Therefore, the focus in the services that Better Work delivers to factories is on continuous learning and improvements working with factories on root causes underlying repeated non-compliance issues.

Since 2015, a factory cycle no longer starts with an assessment on which advisory services afterward were built in the initial approach. Instead, the cycle starts with approximately 100 days of advisory services under the revised Better Work service delivery model. With its bipartite Committee, the factory can conduct a self-diagnosis with its Better Work Enterprise Advisor's support and work on immediate improvements where possible. The unannounced Better Work assessment is then conducted after the initial advisory and training services period.

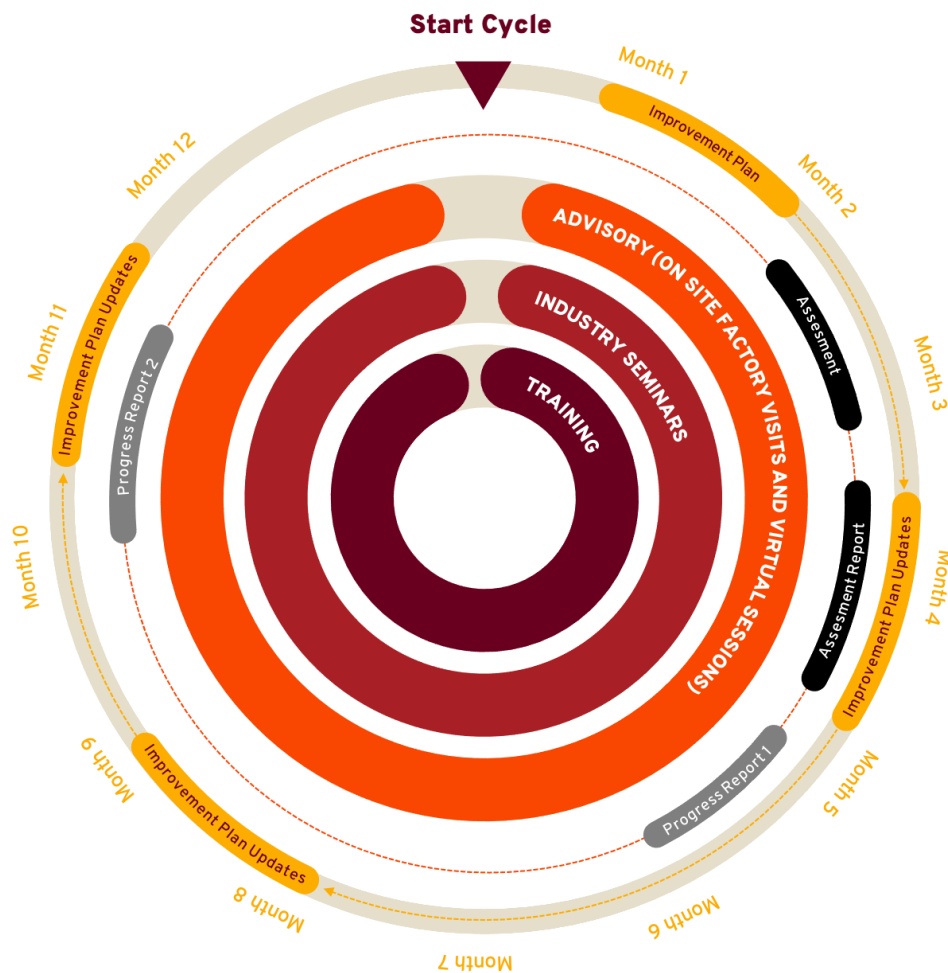
Following the assessment, the advisory process continues, focusing on enabling the bipartite Committee to address issues listed in the improvement plan. The improvement plan includes issues the factory has self-diagnosed and identified during the Better Work assessment. In addition, factories will be supported through tailored factory visits, issue-specific seminars (on topics relevant to the country/industry) with peers from other factories and training appropriate to the factory's specific needs.

Better Work reporting has two elements – reports completed and verified by the Better Work program and completed and released directly by factories. The

Better Work factory reports consist of the assessment report released roughly 30 days after the unannounced assessment visit. Then later in the cycle, in the 11th month of the cycle, Better Work then publishes a progress report detailing improvements on compliance issues and in-factory dialogue, continuous learning, and effective management systems. Better Work also provides additional recommendations in this report to further strengthen the improvement process. Factories report through the Better Work portal. This portal is the platform that is also used by Better Work to share factory data with authorized international brands that subscribed to a specific factory in either of the Better Work country programs. The enhanced portal with the revised self-reporting function also offers the opportunity for factories to update their improvement plan themselves. The improvement plan lists a factory's non-compliance points from the last Better Work independent assessment together with any other issues that the factory itself identified as areas for improvement. Once the factory updates its improvement plan online, the information is immediately available to buyers and Better Work. However, this feature has some limitations with regards to the factories' editing rights as only Better Work can update the status of a non-compliance issue from "delayed," "pending," or "in progress" to "completed" after verification of evidence of remediation.

Factory reporting then continues with the first progress report, which is published approximately five months after the start of the cycle. This report includes progress made to date on all self-diagnosed issues and those identified by Better Work during the assessment. This report has a pre-set structure from Better Work, and it is made available to authorized buyers and indicates initial progress and planned steps for the remainder of the cycle. The Better Work role for this first progress report will be limited to coaching factories on engaging in effective self-reporting and ensuring continued progress on closing areas of non-compliance. The Better Work Enterprise Advisors then write their progress reports towards the end of an annual cycle of each factory.

An overview of the sequence of the different components of the Better Work service model under this revised approach can be found in the illustration below:



Sequence and components of annual Cycle under Better Work's revised service delivery model.

In 2017, Better Work started to differentiate factories depending on their performance. Factories that are scoring high enough in terms of compliance performance and the areas of dialogue and learning encompass the criteria that need to be satisfied before a factory can be qualified for “stage two.” Better Work will classify factories as being in “stage two” if they consistently demonstrate high levels of compliance, a mature level of social dialogue, effective management systems, and a commitment to learning. Those criteria will be evaluated based on information collected during two consecutive assessments. Factories that have not yet met this benchmark will be classified

as “stage one.” For factories that have been with Better Work for several years, service differentiation will respond to requests for greater autonomy in the day-to-day advisory service, fewer assessments, and tailored service that responds to their more advanced needs, for example relating to systems development, purchasing practices, productivity and quality, and mature industrial relations.



Annex 3. The Better Work Compliance Assessment Methodology

Better Work Compliance Assessment Framework

The Better Work program assesses factory compliance with core international labor standards and national labor law. Following assessments, a detailed report is prepared. Findings are shared with the factory presenting findings on eight clusters, or categories, of labor standards, half of which are based on international standards and half on national legislation.

CORE LABOR STANDARDS: The ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, calls upon the Member States to respect and promote these principles and rights in four areas, whether they have ratified the relevant conventions. These categories, or clusters, are freedom of association and collective bargaining, the elimination of forced or compulsory labor, the abolition of child labor, and the elimination of discrimination in employment and occupation. The conventions on which the 1998 Declaration is based are Nos. 29, 87, 98, 105, 100, 111, 138, 182, and they form the reference base in assessing factory compliance with fundamental rights for all the Better Work programs in various countries. For some issues, such as minimum legal working age, provisions in national law specify requirements for the application of international conventions. If national law is not consistent with international standards pertaining to core labor standards, the international standards are applied. Haiti has ratified all eight core Conventions listed above. According to the Haitian Constitution, ratified conventions become self-executing and, therefore, part of Haitian law.

WORKING CONDITIONS: The four other clusters assess conditions at work, including compensation, contracts and human resources, occupational safety and health, and working time. The compliance points covered in these clusters are broadly consistent across countries; however, each compliance point contains specific questions that may vary from country to country due to differences in national legislation. National legislation is used as a reference

point even if it is not in accordance with the international conventions that the country has ratified. In countries where national law either fails to address or lacks clarity around a relevant issue regarding conditions at work, Better Work establishes a benchmark based on international standards and good practices.

Table 2: Better Work compliance assessment framework

Compliance Cluster	Compliance Point	Compliance Issue
Child Labor	Child Labourers	Workers under the age 15
	Documentation and Protection of Young Workers	Age verification system
		A medical certificate and/or an employment certificate or permit delivered by the Director of Labor provided by workers under age 18.
		Register of workers under age 18.
	Hazardous Work and other Worst Forms	Workers under age 18 working at night.
		Workers under age 18 working overtime.
		Workers under age 18 doing work that is hazardous by nature.
Discrimination ⁷	Gender	Changing the employment status, position, wages, benefits, or seniority of workers during maternity leave.

⁷ In Better Work country-specific questionnaires, a compliance point “Other Grounds” may be included under the Discrimination cluster. This category aims to assess specific discrimination issues that are covered by national labor law, and are considered aligned with the objectives of the relevant ILO conventions (100 and 111), but which are not explicitly mentioned in the conventions, e.g., age, HIV/AIDS status, disability, etc. The questionnaire for Haiti does not include the “Other Grounds” compliance point because the Haitian labor law does not identify grounds for discrimination beyond those cited in Conventions 100 and 111.

		Conditions of work (gender and/or marital status).
		Excluding maternity leave from workers' period of continuous service
		Hiring (gender and/or marital status).
		Job announcements (gender and/or marital status).
		Pay (gender and/or marital status).
		Pregnancy tests or use of contraceptives as a condition of employment
		Promotion or access to training (gender and/or marital status).
		Sexual harassment
		Terminating workers or forcing them to resign if they are pregnant, on maternity leave or nursing.
		Termination or retirement (gender and/or marital status).
	Race and Origin	Conditions of work (race, color, origin)
		Harassment (race, color, origin)
		Hiring (race, color, origin)
		Pay (race, color, origin)
		Promotion or access to training (race, color, origin)
		Recruitment materials (race, color, origin)

		Termination or retirement (race, color, origin)
	Religion and Political Opinion	Conditions of work (religion or political opinion)
		Harassment (religion or political opinion)
		Hiring (religion or political opinion)
		Pay (religion or political opinion)
		Promotion or access to training (religion or political opinion)
		Recruitment materials (religion or political opinion)
		Termination or retirement (religion or political opinion)
Forced Labor	Bonded Labor	Debts for recruitment fees owed to the employer and/or a third party
	Coercion	Coercive tactics.
		Delaying or withholding wage payments.
		Forced labor to discipline workers or punish them for participation in a strike
		Free exit from the workplace at all times, including during overtime.
		Freedom of movement (dormitories or industrial parks).
		Freedom to terminate employment with reasonable notice and/or to leave their jobs when their contracts expire

		Threats such as deportation, cancellation of visas, or reporting to the authorities
		Violence or the threat of violence.
		Workers' access to their personal documents (such as birth certificates, passports, work permits, and ID cards)
	Forced Labor and Overtime	Forced overtime under threat of penalty
	Prison Labor	Prison laborers
Freedom of Association and Collective Bargaining	Collective Bargaining	Access to collective bargaining agreement.
		Collective agreement is less favorable for workers than what is required by national law.
		Collective bargaining/bargaining in good faith.
		Implementation of a collective agreement.
	Freedom to Associate	Freedom to form and/or join a union
		Requiring workers to join a union.
	Interference and discrimination	Attempt(s) to interfere with, manipulate, or control the union(s).
		Freedom to meet without management present.
		Incentives to refrain from joining a union or engaging in union activities.
		Punishment of unionists

		Termination or non-renewal of worker’s employment contract due to union membership or activities
		Threats, intimidation, or harassment of unionists.
		Unequal treatment of multiple unions.
		Union membership or union activities factoring into hiring decisions
	Strikes	The hiring of replacement workers during a strike.
		Preventing workers from participating in a strike.
		Punishing workers for participating in a strike.
		Security guards, the police, or armed forces are called on to break up a peaceful strike or arrest striking workers.
	Union Operations	Deduction of union dues upon workers’ request.
		Union representatives’ access to workers in the workplace.
Compensation	Method of Payment	In-kind wage payments.
		Regular and timely payment of wages.
		Wage payment directly to workers at the workplace on working days
		Wage payment in legal currency.

	Minimum Wage	Correct payment of piece-rate workers when their piece-rate earnings exceed minimum wage.
		Payment of minimum wage for apprentices.
		Payment of minimum wage for temporary workers.
	Overtime Wages	Payment for ordinary overtime.
		Payment for overtime hours worked on holidays.
		Payment for overtime worked at night.
		Payment for overtime worked on weekly rest days.
	Paid Leave	Payment for annual leave.
		Payment for breastfeeding breaks.
		Payment for legally mandated holidays.
		Payment for maternity leave.
		Payment for sick leave.
		Payment for weekly rest days.
	Premium Pay	Payment for regular hours worked at night.
		Payment for regular hours worked on holidays
		Payment for regular working hours worked on weekly rest days

	Social Security and Other Benefits	Collecting and forwarding workers' social insurance contributions funds to ONA.
		Employer contribution to OFATMA for maternity and health insurance.
		Employer contribution to OFATMA for work-related accident insurance.
		Employer contribution to ONA.
		Forwarding of workers' contributions to OFATMA.
		Payment of annual salary supplement or bonus.
	Wage Information, Use, and Deduction	Deductions from workers' wages.
		Informing workers about wage payments and deductions.
		Payroll records.
Contracts and Human Resources	Contracting Procedures	Limits on the trial period for apprentices.
	Dialogue, Discipline and Disputes	Bullying, harassment, or humiliating treatment of workers.
		Disciplinary measures
		Resolution of grievances or disputes.
	Employment Contracts	Contracts for all persons performing work for the factory.
		Employment contracts' compliance with the labor code, collective agreement, and/or internal work rules.
		Internal work rules.

		Specifying terms and conditions of employment in written employment contracts.
		Workers' understanding of the terms and conditions of employment.
	Termination	Annual salary supplement or bonus upon termination.
		Notice of termination.
		Orders to reinstate or compensate unjustly terminated workers.
		Payment for unused paid annual leave upon resignation or termination.
		Reasons for termination.
		Reductions in workforce size or suspensions due to changes in operations
Occupational Safety and health	Chemicals and Hazardous Substances	Assessing, monitoring, preventing, and/or limiting workers' exposure to hazardous substances.
		Chemical safety data sheets for all chemicals and hazardous substances in the workplace.
		Inventory of chemicals and hazardous substances used in the workplace.
		Labelling of chemicals and hazardous substances.
		Storage of chemicals and hazardous substances.
		Train workers who work with chemicals and hazardous substances.

		Washing facilities or cleansing materials in the event of chemical exposure.
	Emergency Preparedness	Accessible, unobstructed, and/or unlocked emergency exits during working hours, including overtime.
		Fire detection and alarm system.
		Fire-fighting equipment.
		Marking or posting of emergency exits and/or escape routes in the workplace.
		The number of emergency exits.
		Periodic emergency drills.
		Safeguarding possible sources of ignition
		Storage of flammable materials
		Training workers to use the fire-fighting equipment
	Health Services and First Aid	Annual medical checks for workers.
		First-aid training for workers.
		Health checks for workers who are exposed to work-related hazards.
		Medical checks for workers upon hiring.
		Onsite medical facilities and staff.
		The employer did not ensure a sufficient number of readily accessible first aid boxes/supplies in the workplace.
		Safety and health risks to pregnant or nursing workers

	OSH Management Systems	Assessment of general, occupational safety, and health issues in the factory.
		Legally required construction/building permits
		Mechanisms to ensure cooperation between workers and management on OSH matters.
		Recording work-related accidents and diseases and/or submitting the record to OFATMA.
		Written OSH policy.
	Welfare Facilities	Certain required facilities.
		Eating area.
		Providing drinking water.
		Toilets.
		Washing facilities and/or soap.
	Worker Accommodation	Accommodation separate from the workplace
		Cooking or storage facilities in the accommodation.
		Lighting in the accommodation.
		Minimum space requirements in the accommodation.
		Preparation for emergencies in the accommodation.
		Privacy in the accommodation.

		Protection against disease-carrying animals and/or insects in the accommodation.
		Protection against fire in the accommodation.
		Protection against heat, cold and/or dampness in the accommodation.
		Protection against noise in the accommodation.
		Toilets, showers, sewage, and/or garbage disposal systems in the accommodation.
		Ventilation in the accommodation.
		Water in the accommodation.
	Worker Protection	Ergonomic requirements
		Installing guards on all dangerous moving parts of machines and equipment.
		Installing, grounding, and/or maintaining electrical wires, switches, and/or plugs.
		Posting safety warnings in the workplace
		Providing workers with personal protective clothing and equipment.
		Punishment of workers who removed themselves from work situations they believed presented an imminent and severe danger to life or health.
		Training and encouragement of workers to use PPE, machines, and/or equipment safely

	Working Environment	Workplace cleanliness
		Workplace lighting.
		Workplace noise levels.
		Workplace temperature and/or ventilation.
Working Time	Leave	payment in place of annual leave
		Time off for annual leave.
		Time off for breastfeeding breaks.
		Time off for maternity leave.
		Time off for sick leave.
	Overtime	Authorization from the Department of Labor for overtime.
		Authorization from the Department of Labor for work on Sundays.
		Limits on overtime hours worked.
		Voluntary overtime.
	Regular Hours	Daily break periods.
		Regular daily and/or weekly working hours.
		Weekly rest period.
		Working time records.
		Authorization from the Department of Labor before working at night.

CALCULATING NON-COMPLIANCE & PUBLIC REPORTING

In public synthesis reports, Better Work reports aggregated non-compliance in the participating industry, as shown in Chart 1. Non-compliance is reported for each subcategory (compliance point, or “CP”) of the eight labor standards clusters. A factory is reported as non-compliant in a subcategory if it is found to be out of compliance on any issue addressed within the subcategory. With respect to the figures presented in synthesis reports, for example, a non-compliance rate of 100% means that all participating factories were found to have at least one violation in that area.

The Better Work program supports fair and transparent public reporting. In all Better Work country programs, synthesis reports containing aggregated information on the industry are prepared based on the individual factory assessment reports and published twice a year. Better, work is currently expanding its reporting in the other Better Work countries to include individual factory-level compliance information, as is already the case for Haiti. Evidence shows that public reporting of this kind helps encourage continuous improvement and reduces the probability of reversing compliance gains. In addition, gathering and reporting these data over time enables factories to demonstrate their efforts to improve working conditions.

LIMITATIONS IN THE ASSESSMENT PROCESS

The factory-level assessments carried out by Better Work Haiti follow a thorough checklist of about 230 questions covering the above-mentioned labor standards and gathering general information about the factory.⁸ Information is gathered through various sources and techniques, including document review, observations on the factory floor, and interviews with managers, workers union representatives, bipartite committee members, or other relevant witnesses. Finally, the information collected is compiled and analyzed to produce a detailed assessment report. Before the reports become official, factories are given seven calendar days to provide feedback.

⁸ Better Work Haiti Compliance Assessment Tool (CAT) including their legal references can be accessed here: http://betterwork.org/haiti/?page_id=1731

Worker interviews conducted during the assessment process are held onsite, either in a private room within the factory building or outside the building (yard, eating area), and either in small groups or individually. Interviews are conducted in Creole, the primary language of the workers. Workers may be suspicious and feel uneasy about sharing information in their workplaces with people who are not well known. In addition, coaching of workers by factory management is a possible issue in the industry in general. Nevertheless, after fourteen assessment cycles conducted over more than seven years, Better Work Haiti Enterprise Advisors have become more experienced at collecting information and interviewing workers. Together with other activities led by Better Work, Haiti has created an environment where workers are more comfortable discussing working conditions. Interviews with workers cover many aspects of life at work and last approximately 20 minutes. On average, 40 workers representing different sections of the factories and union representatives are interviewed.

Violations in core labor standards such as sexual harassment or freedom of association are sensitive and are more difficult to detect during factory assessments. The assessment of violation of freedom of association issues in the workplace is sometimes difficult to assess in a two-day assessment. There are several reasons for that. One challenge is that some labor unions are organized at the sectoral level rather than at the factory level, where small union cells predominate. Another challenge is that, for example, the termination of unionists usually happens after a series of events. Key witnesses might have been terminated before the assessment days. Also, supporting documents might not have the level of details required to determine non-compliance. Better Work is basing its assessment findings on triangulation of facts, which requires sufficient evidence to find a factory in non-compliance on a particular compliance point. Some issues are, therefore, not always easy to confirm. As more unions are present in the factories today, workers are more aware of their rights regarding freedom of association. Workers, therefore, are also demonstrating an increased level of openness to discuss this subject during interviews. In addition, Better Work collects information about specific cases as unions, or other stakeholders share them at any given time of the year. During the assessment at a particular factory, specific questions can be asked

about any case previously raised, and information may therefore enter the assessment report.

The assessment usually visits lasts two days, and because it is a picture of the moment, some situations that might lead to non-compliance points in the future are not reported. It is also important to keep in mind that non-compliance issues might be identified during the advisory cycle through the self-diagnosis process. Better Work supports factories to self-diagnose their own compliance and to develop an improvement plan that includes points beyond the Better Work assessment. For all the issues included in the improvement plan, additional information is stated, such as the action to be taken and the person responsible for it within the company. All this information in return and the remediation efforts are then documented in the progress reports.

As Better Work is moving into a differentiated approach where services for advanced factories will be less intensive from those factories that still require more assistance, the evaluation of the performance of a factory will not only be limited to the assessment data. Still, it will also include information gathered in those progress reports.

Another issue that may be challenging to detect is sexual harassment which is included in Better Work Haiti's compliance assessment tool. Like other countries, it is one of the most sensitive and most difficult issues to detect during factory assessments. As a result, the assessment of sexual harassment in the workplace by Better Work Haiti is likely to underreport the extent of its occurrence. However, sexual harassment remains an issue of concern in the industry. As mentioned, Better Work is basing its assessment findings on triangulation of facts, which requires sufficient evidence to find a factory in non-compliance on a particular compliance point, and some issues are not always easy to detect. Although concerns regarding sexual harassment persist, Better Work Haiti has seen positive developments on the topic, with factories acknowledging the issue as a potential problem and demonstrating an increased openness to address it. Several factories are therefore working on the prevention of sexual harassment in the workplace. Better Work's

supervisory skills training has contributed to raising awareness of this issue among supervisors in more than half of the factories in Haiti.

Simple auditing of factory compliance has been widely acknowledged as limited in rectifying compliance issues. Furthermore, factories wishing not to disclose certain information can do so without focusing on the long-term business benefits of improving their working conditions. Therefore, Better Work's approach at the factory level is much broader in its scope, focusing on continuous improvements through advisory and training services, emphasizing the importance of effective systems and the involvement of workers.



Annex 4: Factories findings



Factory: **Bon Kalite International, S.A**
 Supplier ID: **3769**
 Location: **Ouanaminthe**
 Number of workers: **715**
 Date of registration: **May-21**
 Date of last two Better Work assessments: **Jun-23** **May-24**

Advisory and Training Services

20-Nov-24	Advisory meeting	Conduct OSH tour to verify improvement made. Then, held a meeting with the Bipartite committee on accomplishment for the year.
15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC).
19-Jul-24	Industry Seminar	Bipartite Committee
17-Jul-24	Training	Introduction to Occupational Safety and Health.
17-Jul-24	Advisory meeting	Conduct OSH tour to validate pending issues on the improvement plan. Then, conduct a Short training on OSH.
11-Jul-24	Industry Seminar	Chemical Management System
2-Jul-24	Industry Seminar	Virtual Supervisory Skills
12-Apr-24	Advisory meeting	Virtual meeting to verify the changes in the payroll such as social security contributions, payment upon terminations and leaves. Session on HR management sys
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
29-Feb-24	Advisory meeting	Virtual meeting to present the role and objectives of the bipartite committee. Session with the compliance team on internal policies and procedures in place sucl
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The risk procedure does not include all the necessary elements.	Review the risk procedure to include a risk register that drives the implementation of controls		36
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not have an adequate accident investigation procedure.	Develop an accident investigation procedure that includes: Root cause analysis. Focus on sustainable solutions. Implementation of changes in order to avoid reoccurrence		36

May-24	Occupational Safety and Health	OSH Management Systems	Management has not performed regular management review and of the OSH policy.	Conduct regular meeting with management to define and evaluate if the OSH objectives and targets are met.		36
May-24	Occupational Safety and Health	OSH Management Systems	Management has not ensured effective functioning of the OSH committee.	Appoint an OSH officer with sufficient expertise. Ensure effective functioning of the OSH committee by conducting regular meetings.		36
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate procedure for handling complaints and resolving disputes.	Include the following elements in the procedure: Ensuring anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.		36
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate termination procedures.	Include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.		36
May-24	Contracts and Human Resources	Employment Contracts	The employer takes action to investigate violations of HR policies and procedures.	Develop HR system performance indicator, investigate violations of HR policies and procedures. Perform necessary reviews periodically.		36
May-24	Contracts and Human Resources	Employment Contracts	The factory has not posted internal regulations neither policies.	Post internal regulations and policies. Train staff on how to carry out policies and procedures.		36
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy as part of its internal policy.	Develop an internal policy that includes all HR policies.		36
May-24	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Send workers on leave 6 weeks before giving birth.		36
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to work overtime.	Request prior authorization to work overtime		8
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Have a time recording system, which indicates the accumulated overtime per week, per month and per year and ensure that workers do not exceed the overtime limit.		8
May-24	Working Time	Overtime	The factory did not obtain prior authorization from the Department of Labor to work on Sundays.	Request prior authorization from MAST to work on Sunday.		8

May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Ensure that the regular hour do not exceed 8 hours per day.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train at least 10 percent of the workforce in Fire fighting equipment.	The factory has trained more workers.	36
May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not conduct an emergency fire drill every 6 months.	Conduct at least 2 emergency drill per calendar year with the authorities.	Emergency Drill has been conducted twice.	36
May-24	Occupational Safety and Health	Emergency Preparedness	Several areas of the factory are obstructed by boxes or pallets of raw materials and finished goods.	Provide additional space for storing goods. Keep aisles unobstructed.		36
May-24	Occupational Safety and Health	Health Services and First Aid	less 10 percent of the workforce is trained in first aid as recommended by Better Work.	Train at least 10 percent of the workforce in First Aid.	The factory has trained more workers.	36
May-24	Occupational Safety and Health	Health Services and First Aid	All first aid boxes were missing basic supplies.	Equip first aid box and define responsibility for refilling them.	Responsibility has been assigned and first aid boxes are equipped.	36
May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Make a contract with a health care unit in the surroundings and hire the required medical staff.		36
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not performed for all workers working with chemical products.	Provide free medical checks at least twice a year for workers working with chemical products.		36
May-24	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers.	Provide an eating area that can accommodate all the workers.		36
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets based on the current workforce as required by law.		36
May-24	Occupational Safety and Health	Working Environment	The lux level is insufficient in packing area.	Increase the Lux level to at least 500 Lux in packing area.		36
May-24	Occupational Safety and Health	Working Environment	The temperature exceed the recommended limit of 30 c.	Provide additional fans and specify who is in charge of regular maintenance of the fans.		36
May-24	Occupational Safety and Health	Worker Protection	The spot cleaning worker was observed not using the provided PPE (MASK).	Provide Proper Mask to spot cleaning workers and train workers to use them.		8

May-24	Occupational Safety and Health	Worker Protection	100% of single needle and double needle machine are missing finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.		36
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eye wash station was not available in the chemical room where chemical and hazardous substances are stored and poured.	Provide eye wash bottles where chemicals are stored and poured.	The factory has installed Eye wash station where chemicals are stored.	36
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Improve isolation from the chemical such as separate room for spot cleaning.	The spot cleaning section has been relocated with proper conditions.	36
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.	The factory kept all the MSDS and they are in the translation process.	36
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several containers of chemical and hazardous products were found without proper labeling.	Define who control the chemical container on receipt from supplier and control the label.	Responsibility has been assigned.	36
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	Responsibility has been assigned and chemical inventory is accurate.	36
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Train all joint OSH committee members. Then, post policies and work instructions around the workplace.		36
May-24	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general risk assessment monthly.	Conduct a risk assessment that include an evaluation of the risks and how to control them.		36
May-24	Occupational Safety and Health	OSH Management Systems	The factory has an emergency preparedness procedure. However, The procedure is in Spanish.	Translate the procedure in local language and inform workers about it.		36
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not record and submit work related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA monthly.		36
May-24	Contracts and Human Resources	Termination	The calculation for the annual salary supplement or bonus upon termination is not accurate.	Include the payment for the weekly rest day in the calculation of annual salary supplement or bonus upon termination.		8

May-24	Contracts and Human Resources	Termination	The calculation for unused annual paid leave upon termination is not accurate .	Include the weekly rest day payment in the calculation for unused annual leave upon termination.	8
May-24	Contracts and Human Resources	Termination	The employer provides workers with proper notice upon termination. However, the calculation is not accurate.	Include the payment for the weekly rest day in the calculation of notice period upon termination.	8
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Social Affairs and Labor.	Review and update the Internal work rules. Then send it to MAST for approval.	36
May-24	Contracts and Human Resources	Employment Contracts	The contract does not comply with the labor code. The employment contract for night shift workers does not specify the correct salary.	Make an amendment to the contract to specify the workers' wages for the night shift.	8
May-24	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Send workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	36
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for Maternity and Health Insurance.	Collect and forward worker's contribution to OFATMA for Maternity and Health Insurance.	36
May-24	Compensation	Social Security and Other Benefits	The employer pays the employer's contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Include the weekly rest day payment in the calculation of the employer's contribution to ONA. Then make the payment on time as required by law.	36
May-24	Compensation	Social Security and Other Benefits	OFATMA payments for maternity and health insurance are not based on the basic salary.	Include the weekly rest day payment in the calculation of the basic salary for OFATMA payments for maternity and health insurance. Ensure that the payments are made on time.	36
May-24	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Collects and forward the workers' contribution to ONA on time. Include the weekly rest day payment in the calculation of the basic salary.	36
May-24	Compensation	Paid Leave	Non working holiday pay is not based on the average earning but on the CODEVI's agreed minimum wage of reference.	Include the weekly rest day payment in the calculation of average earnings for non working holiday payment.	8

May-24	Compensation	Paid Leave	The weekly rest day is not compensated.	Compensate the weekly rest day after 48 hours of work or 6 days of work per week.		8
May-24	Compensation	Paid Leave	The calculation of the average salary for maternity leave payment does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation maternity leave payment. Ensure that worker receive 12 weeks of payment instead as required by law.		36
May-24	Compensation	Paid Leave	The calculation of the average salary for sick leave payment does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation for sick leave payment.		8
May-24	Compensation	Wage Information, Use and Deduction	Overtime hours are not paid to workers who are on a fix salary.	Register overtime hour for foreign supervisors, mechanics and utility workers who are on a fix salary. Then pay them the overtime hour worked as required by law.		8
May-24	Compensation	Overtime Wages	Overtime performed at night were pay only at 50 percent above the normal wage.	Modify the payroll system and pay overtime work performed beyond 6 PM for day shift with 100 percent above normal wage .		8
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement several articles of the CBA.	Implement all the provisions of the collective agreement.		19
Assessment June 2023						
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found several containers without proper labelling, indicating the classification hazards and safety precautions.	Define who control the chemical container on receipt from supplier and control the label.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals in the workplace.	Specify who is in charge of receiving MSDS from supplier / Verify the MSDS has the needed elements.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		

Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The eye wash stations in several areas, are used are not functioning properly.	Install eye wash where chemicals are used.		
Jun-23	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement the CBA provisions.	Implement the CBA as agreed with workers 'representatives.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	The fire extinguishers are not properly maintained.	Mark on the floor area that should not be obstructed. Then specify who conduct daily weekly checks (and include this in the system of daily-weekly checks).		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Several areas of the factory are obstructed by boxes or pallets of raw materials and finished goods.	Discuss with the General Manager and rearrange the sewing floor.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Fire drill are not conducted twice a year as recommended.	Conduct at least one emergency drill every 6 months including full evacuation of the workforce		
Jun-23	Occupational Safety and Health	Emergency Preparedness	The workers are not aware of the risks. The last fire drill was conducted in September of 2022.	Ensure that the evacuation routes are not obstructed during working hours. Conduct fires drills every six months.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	The training records provided revealed that less than 10 percent of workers were trained in fire-fighting equipment.	Provide additional training on fire fighting equipment Have a system in place to monitor trained workers		
Jun-23	Contract and Human Resources	Employment Contracts	The contract does not comply with the labor code. The employment contract for Dominican workers is not signed by both parties. In addition the hours of work is different from the regular hours of	Ensure that foreign workers contract are signed by both parties and it complies with the Haitian labor code		
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Translate the internal work rules in local language and submit it to the ministry of labor for proper authorization		
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy as part of its internal policy.	Develop an HR policies.		
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not communicate HR procedures and policies adequately.	Post the internal regulations and trained staff on how to carry out policies and procedures.		

Jun-23	Contract and Human Resources	Employment Contracts	There is no evidence that the employer takes action to investigate violations of HR policies and procedures.	Develop HR performance indicator.		
Jun-23	Contract and Human Resources	Employment Contracts	The termination procedure does not include all the necessary elements.	Include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process.		
Jun-23	Contract and Human Resources	Employment Contracts	The grievance procedure does not ensure anonymity and non-retaliation, include all the necessary elements.	Include in the procedure fair review, communication of changes made or resolution and an appeal process, ensuring anonymity and non-retaliation.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	First aid box was. In addition, the inventory list in not accurate.	Equip first aid box and define responsibility for refilling.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	Less than 10% of workers trained in first aid.	Provide additional training on first aid to workers.		
Jun-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth, as required by the labor code.	Develop a procedure for maternity leave and send pregnant workers on leave 6 weeks before giving birth.		
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory did not conduct a general OSH assessment monthly.	Create a daily, weekly or a monthly checklist. Assign someone to conduct the monthly inspection.		

Jun-23	Occupational Safety and Health	OSH Management Systems	Management has not ensured effective functioning of the OSH committee.	Ensured effective functioning of the OSH committee.		
Jun-23	Occupational Safety and Health	OSH Management Systems	The employer has not : Trained all joint OSH committee members and posted the names of OSH committee members.	Train and post the names of OSH committee members.		
Jun-23	Occupational Safety and Health	OSH Management Systems	Management does not regularly review the effectiveness of management system.	Hold a meeting with top management to develop OSH measurable objectives and targets.		
Jun-23	Occupational Safety and Health	OSH Management Systems	The employer does not have an adequate accident investigation procedure.	Develop an accident investigation procedure that includes: root cause analysis, focus on sustainable solutions and implementation of changes in order to avoid reoccurrence..		
Jun-23	Occupational Safety and Health	OSH Management Systems	The risk procedure does not include all the necessary elements.	include a risk register that drives the implementation of controls.		
Jun-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Register workers to OFATMA maternity and health insurance.		
Jun-23	Working Time	Regular Hours	Worker's interview revealed that some workers with apparent pregnancy are not allowed additional breaks.	Develop a procedure regarding additional breaks for pregnant workers and inform the workers of their rights.	The factory has informed all pregnant women of their right and also provide the additional breaks.	
Jun-23	Compensation	Social Security and Other Benefits	The factory has paid OFATMA for Work Related Accident Insurance late and did not provide any proof of agreement D117:D122with OFATMA.	Pay OFATMA work related accident on time.		
Jun-23	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month		
Jun-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for Maternity and Health Insurance. The employer does not pay 3% of workers' basic salary to OFATMA for Maternity and Health Insurance.	Register with OFATMA for maternity and health insurance.		

Jun-23	Compensation	Social Security and Other Benefits	The employer pays the employer's contribution to ONA late. Furthermore the calculation is made on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward employers' contribution to ONA within the first 10 business days of the next month for the previous month		
Jun-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward worker's contribution to OFATMA for Maternity and Health Insurance. The factory is not registered with OFATMA.	Collect and forward worker's and employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		
Jun-23	Compensation	Social Security and Other Benefits	Management interview revealed that workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave. The factory makes the payments	Register with OFATMA and send workers' pay slip for sick leave and maternity leave.		
Jun-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets according to the law.		
Jun-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.	The water test is conducted monthly.	
Jun-23	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers.	Provide an eating Area that can accommodate all the workers		
Jun-23	Occupational Safety and Health	Worker Protection	The employer did not provide all required PPEs.	Provide PPE in accordance with the company regulation. Develop a monitoring plan.		
Jun-23	Occupational Safety and Health	Worker Protection	No evidence of training was available during the assessment.	Develop an OSH training plan. Train workers on occupational safety and health and keep records of the training.		
Jun-23	Occupational Safety and Health	Worker Protection	100% of single needle and double needle machine are missing finger guards,	Install the machine guards in accordance with the company regulation.		
Jun-23	Occupational Safety and Health	Worker Protection	During the factory tour assessors observe several chairs missing back rest.	Provide chairs with backrest to workers.		
Jun-23	Occupational Safety and Health	Working Environment	The temperature exceed the recommended limit of 30 c in Pressing and cutting section.	Increase the ventilation with additional fans.		

73 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **BrandM Apparel Haiti - AM1**
 Supplier ID: **4630**
 Location: **Ouanaminthe**
 Number of workers: **842**
 Date of registration: **May-19**
 Date of last two Better Work assessments: **May-23**

May-24

Note : This factory closed its doors in November of 2024

Advisory and Training Services

8-Nov-24	Advisory meeting	Summary of the advisory visit: Meeting with management: Follow-up on actual number of workers at the factory, last ONA payments and payments for OFATMA accident for 2023-2024. Factory tour to verify the final closure and the packing of machines and equipment. Review dismissed workers' files for severance payment. Review maternity leave payment. Follow-up on Legal Requirements for a responsible closure.
19-Sep-24	Advisory meeting	Summary of the advisory visit: Meeting with management Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024. Factory tour with the bipartite committee to verify the sections that already closed. Review dismissed workers' files for severance payment. - Review maternity leave payment. Added all corrective actions completed in the improvement plan. Meeting with the Bipartite committee and the unions: Follow-up on factory closure and retrenchment process Follow-up on Legal Requirements for a responsible closure.
29-Aug-24	Advisory meeting	Advisory visit with management only to discuss the following: Factory closure and retrenchment process Review Last payments for ONA and OFATMA Review dismissed workers' files for severance payment Review maternity leave payment
26-Aug-24	Advisory meeting	Summary of the advisory visit: Meeting with management: Follow-up on factory actual situation. Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024. Provide guidelines on the Legal Requirements for a responsible closure.
12-Jul-24	Advisory meeting	
11-Jul-24	Industry Seminar	Chemical Management System
24-May-24	Advisory Services	Meeting to review the summary report from the last assessment with the bipartite committee and follow-up on the improvement the factory has already done. Conduct a factory tour with the factory's compliance officer, to verify the OSH issues that the factory already solved.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Industry Seminar	Virtual Supervisory Skills

19-Mar-24

Industry Seminar

Virtual Workers' Rights & Responsibilities

26-Jan-24

Advisory Services

Meeting with management to:

Follow-up on factory actual situation.

Follow-up on OFATMA insurance implementation.

Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024.

Review and update the improvement plan.

Advise the factory on the incoming question in the new assessment based on the 3*8 law that the government put on hold.

Add all corrective actions completed in the improvement plan.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The OHS policy does not meet all the requirements.	Update and adjust OHS policy and procedures.		31
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements	Update and adjust hazard/risk management and control procedures.		31
May-24	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		31
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director.	Assign a dedicated OSH Officer. Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		31
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have grievance handling and dispute resolution procedures that includes all the steps.	Update and adjust grievance handling and dispute resolution procedures and include all the necessary steps.		31
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures, that includes all the steps.	Update and adjust the disciplinary and termination procedures and include all the necessary steps.		31
May-24	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Perform regular investigation of HR performance and shortcomings and review the procedures accordingly.		31
May-24	Contracts and Human Resources	Employment Contracts	The factory's HR policy is not signed by Top management.	Make sure the HR policy is sign by the top management of the factory.		31

May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request authorization from MAST before working overtime.		10
May-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specified in the Labor Code.		10
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime on Sundays.	Request prior authorization from MAST before working on Sundays.		10
May-24	Working Time	Regular Hours	The night shift schedule was not posted on the factory floor.	Post the factory's working hours for all shifts including break time in the workplace.		6
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		10
May-24	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire-fighting training.	Train at least 10 percent of the workforce in the use of fire-fighting training.		6
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb covered by pieces of fabric in some sections.	Make sure the sources of ignition are protected.		23
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		6
May-24	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, were observed during the assessment.	Ensure that the escape routes in all building are clearly marked.		62
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done.		62
May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		6

May-24	Occupational Safety and Health	Health Services and First Aid	First aid boxes are missing basic items.	The factory needs to designate a person to monitor all first aid boxes and ensure items are replaced in time.		43
May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		62
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks is not conducted twice a year for workers working with chemicals	Provide health checks to workers exposed to work-related hazards at least twice a year.		62
May-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		6
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		59
May-24	Occupational Safety and Health	Working Environment	Light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		43
May-24	Occupational Safety and Health	Working Environment	Workplace temperature level is unacceptable.	Monitor the temperature level and maintain it under 30C inside the workplace.		62
May-24	Occupational Safety and Health	Worker Protection	Several chairs, were missing backrest.	Provide chairs with backrest to workers.		62
May-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are identified.		43
May-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		62

May-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE to all workers, wherever it is needed .		62
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area where chemicals are used, does not have an adequate eye washing station.	The factory needs to install eyewash stations in all areas where chemical products are used.	The factory installed the missing eyewash stations.	62
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The vacuum machine in the spot cleaning was not functioning.	The factory needs to ensure that the vacuum machine is working properly.		62
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		62
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace		62
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available.	Prepare an inventory for chemical and hazardous substances in the workplace and keep the inventory updated.		43
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not submit records of work-related accidents and diseases to OFATMA on a monthly basis.	Submit all work-related accidents and diseases records to OFATMA on a monthly basis.		6
May-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination. .	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation.		6
May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the calculation		6
May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for the applicable notice period.	Pay the applicable notice period and include weekly rest day payment in the calculation.		6

May-24	Contracts and Human Resources	Contracting Procedures	The security guards do not receive any breaks during their 11-hour workday.	Provide the require lunch breaks to the security guards as required by the Labor Code.	6
May-24	Contracts and Human Resources	Employment Contracts	The clauses regarding hours of work in the internal work rules are less favorable than the law.	Update the internal work rules and send it to MAST for approval to be in compliance with the labor Code.	6
May-24	Compensation	Social Security and Other Benefits	The factory does not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.	23
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers contribution to OFATMA	Collect and forward workers contribution to OFATMA maternity and health insurance on the basic salary.	62
May-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.	62
May-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate	Calculate employers' contributions for OFATMA on the basic salary.	62
May-24	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.	62
May-24	Compensation	Social Security and Other Benefits	Inaccurate payment for annual salary supplement or bonus.	Pay annual salary supplement or bonus based on average earnings, including the weekly rest day as required by the law.	6
May-24	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work-related accidents and provided proof of having paid 50 percent of the total amount.	Have an agreement with OFATMA regarding the payment process.	62
May-24	Compensation	Paid Leave	Inaccurate payment for non working holiday.	Pay non working holiday on the average earning as required by the law.	6

May-24	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers		62
May-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		62
May-24	Compensation	Paid Leave	Inaccurate payment for annual leave.	Pay annual leave based on average earnings, including the weekly rest day as required by the law.		6
May-24	Compensation	Wage Information, Use and Deduction	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		6
May-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at night.	Pay 100% above the normal hours for overtime hours worked at night.		6
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		23
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust the OSH policy and procedures.	The factory fix the issue with the OSH policy.	
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory's accident investigation procedure does not have all the necessary steps.	Update and adjust the accident investigation procedure.		
May-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff.		

May-23	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR manager.	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		
May-23	Contracts and Human Resources	Employment Contracts	The factory currently applies Codevi's disciplinary and termination procedures, which does not include all the steps.	Update and adjust disciplinary and termination procedures.	The factory update the HR Procedure and add disciplinary and termination procedures in it.	
May-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		
May-23	Contracts and Human Resources	Employment Contracts	The factory's HR policy does not include all the necessary elements.	Make sure the HR policy is sign by the top management of the factory.	The HR policy is signed by top management.	
May-23	Working Time	Leave	Pregnant workers do not go home 6 weeks before giving birth.	Ensure that pregnant workers are going home 6 weeks before giving birth.		
May-23	Occupational Safety and Health	Emergency Preparedness	Improper control of electrical issues.	1. Make sure the source of ignition problem is fix.	The factory fix the source of ignition problem.	
May-23	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, on the factory floor.	Ensure that the escape routes in the component area are clearly marked		
May-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory replaced the fire extinguishers with low pressure.	
May-23	Occupational Safety and Health	Emergency Preparedness	Alarm has not been installed in the component area.	The factory needs to install fire detection system in all areas of the workplace.	The factory install a fire alarm system in the component area	
May-23	Occupational Safety and Health	Health Services and First Aid	One first aid box is not identified and one contain expired products.	The factory needs to designate a person to monitor all first aid boxes.	The factory identified the first aid box, removed the expired product and replace by a new one.	

May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		
May-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	The factory has completed the payment for the CDS which entitled the workers to received health checks from OFATMA.	
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets.		
May-23	Occupational Safety and Health	Working Environment	The sewing floor was not clean and tidy.;	Ensure that the workplace is always clean and tidy.	The factory clean all the workplace.	
May-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
May-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
May-23	Occupational Safety and Health	Worker Protection	Several chair without backrests in the sewing areas and standing mats were not available to all workers.	Provide chairs with backrest to workers.	The factory replaced the chairs without backrest	
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are labelled.	The factory labelled all circuit breakers	
May-23	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers using chemical products.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop,	The factory needs to install eyewash station in all areas where chemical products are used.	The factory added the Eye wash where chemicals are used in the mechanic workshop	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning and ensure that the machine are working properly. They also need to provide PPE for all workers in the section.		

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The factory added all the missing MSDS	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory remove the 2 unlabeled containers	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	Chemical inventory is updated all chemical are mentioned on it with all necessities information.	
May-23	Occupational Safety and Health	OSH Management Systems	Workers are not informed and they do not participate the OSH self-assessment.	Perform the general occupational safety and health self-assessment with the OSH committee in place in the factory.	The compliance manager is doing the OSH self-assessment in collaboration with OSH bipartite committee	
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The factory has an internal work rules approved by MAST on August 16, 2023.	
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
May-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers contribution to OFATMA	Collect and forward workers contribution to OFATMA maternity and health insurance on the basic salary.		
May-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay employer's contribution to ONA on time.	
May-23	Compensation	Social Security and Other Benefits	The Factory does not forward employers contribution to OFATMA.	Forward employer's contribution to OFATMA maternity and health insurance on the basic salary.		
May-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay worker's contribution to ONA on time.	
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA		

May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers		
May-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.		
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		

84 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **BrandM Apparel Haiti - AM2**
 Supplier ID: **3102**
 Location: **Ouanaminthe**
 Number of workers: **783**
 Date of registration: **May-19**
 Date of last two Better Work assessments: **May-23** **Apr-24**

Advisory and Training Services

15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
14-Nov-24	Industry Seminar	Bipartite Committee
13-Nov-24	Industry Seminar	Workshop on the calculation method for DGI Taxes
12-Nov-24	Industry Seminar	Workshop on the calculation method for DGI Taxes
8-Nov-24	Advisory meeting	Summary of the advisory visit Meeting with bipartite committee: Follow-up on factory actual situation. Follow-up on the legal requirements about the coming annual leave for this year. Follow-up on actual number of workers at the factory, last ONA payment and the final payment for OFATMA accident. Complete a factory tour with the committee Follow-up with the factory regarding access to their portal
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
19-Sep-24	Advisory meeting	Summary of the advisory visit Meeting with management: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Factory tour with the bipartite committee Meeting with the Bipartite committee: Review the IP
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
12-Jul-24	Advisory meeting	Summary of the advisory visit: Meeting with management:- Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Factory tour with the bipartite committee Review and update the improvement plan. Added all corrective actions completed in the improvement plan.
11-Jul-24	Industry Seminar	Meeting with the Bipartite committee: Follow-up on factory actual situation. Review the IP
5-Jul-24	Industry Seminar	Chemical Management System Virtual Emergency Preparedness

17-May-24	Advisory services	Meeting to review the summary report from the last assessment with the bipartite committee and follow-up on the improvement the factory had already done. Conducted factory tour with the factory compliance officer, to verify the OSH issues that the factory already solved.
23-Jan-24	Advisory services	Summary of the advisory visit Meeting with management: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan. Provided a 2 hours training on workers rights and responsibilities to workers.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	OSH Management Systems	The OHS policy is not signed by senior management and does not meet all the requirements.	Update and adjust OHS policy and procedures.		27
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		27
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory's accident investigation procedure does not have all the necessary steps.	Update and adjust the accident investigation procedure.		19
Apr-24	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		27
Apr-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director.	Assign a designated OSH Officer. Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		27
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures, that includes all the steps.	Update and adjust disciplinary and termination procedures.		27
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		27
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory. Provide training to HR personnel on the implementation of the policy. Post the policy on the floor.		27

Apr-24	Contracts and Human Resources	Employment Contracts	The factory HR policy is not signed by Top management.	Make sure the HR policy is sign by the top management of the factory.	The factory updated and adjust the HR policy and procedure.	19
Apr-24	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Ensure that pregnant workers go on maternity leave 6 weeks before giving birth.		19
Apr-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specify in the Labor Code.		2
Apr-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST before working overtime.		2
Apr-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		2
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb covered by pieces of fabric in some sections.	Make sure the source of ignition problem is protected.	The factory fixed the source of ignition problem.	19
Apr-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.		2
Apr-24	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan.	Update and post an evacuation plans for all buildings.		2
Apr-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities.		58
Apr-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards twice a year.	Provide health checks to workers exposed to work-related hazards at least twice a year.		58
Apr-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		2
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		55
Apr-24	Occupational Safety and Health	Working Environment	Light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		39
Apr-24	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30C inside the workplace.		58

Apr-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Circuit breakers need to be properly labelled.	The factory labelled all circuit breakers	39
Apr-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		58
Apr-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE to all workers, where it is needed.		58
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The factory added all the missing MSDS	58
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		39
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory did not provide evidence that the OSH assessments is performed on a regular basis.	Conduct and keep records of the monthly OSH assessment results.		19
Apr-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination.	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation.		2
Apr-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the calculation.		2
Apr-24	Contracts and Human Resources	Employment Contracts	The internal work rules does not comply with the labor code law.	Update the internal work rules and send it to MAST for approval.	The factory no longer operates at night.	58
Apr-24	Contracts and Human Resources	Employment Contracts	The contract for the night shift and Dominicans workers does not comply with the internal work rules.	Update the contract of all workers in the factory to be in compliance with the internal work rules.		2
Apr-24	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		19
Apr-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contribution to OFATMA.	Collect and forward workers contribution to OFATMA maternity and health insurance on the basic salary.		58
Apr-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58

Apr-24	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate.	Calculate employers' contributions for OFATMA on the basic salary.		58
Apr-24	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate.	Calculate ONA contributions on the basic salary.		58
Apr-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		2
Apr-24	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers		58
Apr-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		58
Apr-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at night.	Pay 100% above the normal hours for overtime hours worked at night.		2
Apr-24	Compensation	Overtime Wages	The employer does not pay 50% above the normal hours for overtime worked on weekly rest day.	Pay 50% above the normal hours for overtime worked on weekly rest day.		2
Apr-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		19
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust the OSH policy and procedures.	The factory fix the issue with the OSH policy.	
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory's accident investigation procedure does not have all the necessary steps.	Update and adjust the accident investigation procedure.		
May-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff.		

May-23	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR manager.	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		
May-23	Contracts and Human Resources	Employment Contracts	The factory currently applies Codevi's disciplinary and termination procedures, which does not include all the steps.	Update and adjust disciplinary and termination procedures.	The factory update the HR Procedure and add disciplinary and termination procedures in it.	
May-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		
May-23	Contracts and Human Resources	Employment Contracts	The factory's HR policy does not include all the necessary elements.	Make sure the HR policy is sign by the top management of the factory.	The HR policy is signed by top management.	
May-23	Working Time	Leave	Pregnant workers do not go home 6 weeks before giving birth.	Ensure that pregnant workers are going home 6 weeks before giving birth.		
May-23	Occupational Safety and Health	Emergency Preparedness	Improper control of electrical issues.	1. Make sure the source of ignition problem is fix.	The factory fix the source of ignition problem.	
May-23	Occupational Safety and Health	Emergency Preparedness	Unmarked escape routes, on the factory floor.	Ensure that the escape routes in the component area are clearly marked		
May-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory replaced the fire extinguishers with low pressure.	
May-23	Occupational Safety and Health	Emergency Preparedness	Alarm has not been installed in the component area.	The factory needs to install fire detection system in all areas of the workplace.	The factory install a fire alarm system in the component area	
May-23	Occupational Safety and Health	Health Services and First Aid	One first aid box is not identified and one contain expired products.	The factory needs to designate a person to monitor all first aid boxes.	The factory identified the first aid box, removed the expired product and replace by a new	
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		

May-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	The factory has completed the payment for the CDS which entitled the workers to received health checks from OFATMA.	
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets.		
May-23	Occupational Safety and Health	Working Environment	The sewing floor was not clean and tidy.;	Ensure that the workplace is always clean and tidy.	The factory clean all the workplace.	
May-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
May-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
May-23	Occupational Safety and Health	Worker Protection	Several chair without backrests in the sewing areas and standing mats were not available to all workers.	Provide chairs with backrest to workers.	The factory replaced the chairs without backrest	
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all circuit breakers are labelled.	The factory labelled all circuit breakers	
May-23	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers using chemical products.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop,	The factory needs to install eyewash station in all areas where chemical products are used.	The factory added the Eye wash where chemicals are used in the mechanic workshop	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning and ensure that the machine are working properly. They also need to provide PPE for all workers in the section.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	The factory added all the missing MSDS	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory remove the 2 unlabeled containers	

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.	Chemical inventory is updated all chemical are mentioned on it with all necessities information.	
May-23	Occupational Safety and Health	OSH Management Systems	Workers are not informed and they do not participate the OSH self-assessment.	Perform the general occupational safety and health self-assessment with the OSH committee in place in the factory.	The compliance manager is doing the OSH self-assessment in collaboration with OSH bipartite committee	
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The factory has an internal work rules approved by MAST on August 16, 2023.	
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
May-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers contribution to OFATMA	Collect and forward workers contribution to OFATMA maternity and health insurance on the basic salary.		
May-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay employer's contribution to ONA on time.	
May-23	Compensation	Social Security and Other Benefits	The Factory does not forward employers contribution to OFATMA.	Forward employer's contribution to OFATMA maternity and health insurance on the basic salary.		
May-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory pay worker's contribution to ONA on time.	
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Keep records of the salary statement sent to OFATMA		
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers		
May-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.		

May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		
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Factory: **Centri Group S.A.**
 Supplier ID: **2906**
 Location: **Arrondissement de Port-au-Prince**
 Number of workers: **1080**
 Date of registration: **Oct-18**
 Date of last two Better Work assessments: **Mar-23** **Apr-24**

Advisory and Training Services

26-Nov-24	Advisory services	Virtual meeting with the New HR officer on the factory portal. Session on HR management systems and follow up on social security payment.
16-Aug-24	Training	Virtual Occupational Safety and Health
14-Jun-24	Advisory services	Virtual meeting with the OSH committee to present the last assessment report. Meeting with the compliance team to review payment upon termination and night shift payment. Session on the first progress report.
2-Feb-24	Advisory services	Virtual meeting with the OSH committee to identify the training needs. Session with the compliance team to review the compensation cluster including social security. Follow up on OSH objectives and targets.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	Emergency Preparedness	Evacuation routes are not clearly marked.	Paint evacuation arrows and signs and Paint yellow lines on the floor to show the exit pathway.	Evacuation arrows and signs have been already repainted. Furthermore yellow lines are on the floor to show the exit pathway.	49
Apr-24	Occupational Safety and Health	Health Services and First Aid	Insufficient medical Staff.	Hire the required medical staff based on the current workforce.		68
Apr-24	Occupational Safety and Health	Working Environment	Lux level is below Better Work recommended limit.	Increase the natural lighting in the sewing section.	The large bulbs are reinstalled higher so that they illuminate more space. Bulbs are added to the sewing section and quality section where it is necessary.	36
Apr-24	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include fair review and appeal process, communication of changes made or resolution.	Review and discuss current factory procedure on complaint mechanisms include fair review and appeal process, communication of changes made or resolution.		8
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of functioning toilets as required by law.		68

Apr-24	Occupational Safety and Health	Working Environment	The temperature level is exceed Better Work's recommended limit.	Develop a maintenance plan for the cooling systems. Install roof insulation		23
Apr-24	Contracts and Human Resources	Termination	The annual leave payment is not calculated on worker's average daily earnings.	Ensure the annual leave payment upon termination is calculated on worker's average daily earnings.	The annual leave payment upon termination is calculated on worker's average daily earnings.	8
Apr-24	Contracts and Human Resources	Contracting Procedures	Contract and payroll of non production workers are not accurate.	Revise security agent contracts and ensure that payment is aligned with the labor code.	The Company has made the changes in the payroll and the calculation is accurate. In addition, the contract has been revised.	8
Apr-24	Contracts and Human Resources	Employment Contracts	Internal work rules are not approved by MAST.	Send the internal work rules to MAST for approval.	The internal work rules has been approved by MAST.	23
Apr-24	Compensation	Social Security and Other Benefits	The annual leave payment is not calculated based on the total earning of workers salary. .	Make changes to the payroll system and include all salaries received by the employee in the calculation of annual leave.	The Company has made the changes in the payroll and the calculation is accurate.	8
Assessment March 2023						
Mar-23	Compensation	Social Security and Other Benefits	The factory did not provide any proof of payment made to OFATMA for work-related accident insurance for the fiscal year 2022-2023.	Assigned responsibility to send the salary statement on time. Paid OFATMA work related accidents.	The factory has paid OFATMA for the fiscal year 2022-2023	
Mar-23	Contract and HR	Employment Contracts	The internal work rules is not posted in the workplace.	Ensure that the internal work rules is posted on the factory floor.	The internal work rules is posted in the workplace.	
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate, certifying the structure of the building meets the safety requirements for an industrial	Ensure the factory has a structural safety certificate report from a certified company.	The factory received the structural safety certificate from SONAPI and it is available.	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical inventory is not accurate.	Assign someone to update the chemical inventory.	A new inventory of chemicals is prepared by including the names of all chemicals and hazardous substances used in the workplace and the location where they are stored in the buildings.	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical containers are not properly labelled	Define who control the chemical container on receipt from supplier and control the label.	The factory prepared other labels indicating the classification, hazards, and safety precautions.	

Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all MSDS are posted where chemicals are used.	The safety data sheets of the chemicals which weren't available are posted where the chemicals are used.	
Mar-23	Occupational Safety and Health	Worker Protection	Management has not provided all necessary PPEs to workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	PPE have been provided and training on PPE were conducted.	
Mar-23	Occupational Safety and Health	Worker Protection	All standing workers were not provided with footrests or shock-absorbing mats.	Provide anti fatigue mats for standing workers.	Standing mats have been provided to all standing workers.	
Mar-23	Occupational Safety and Health	Working Environment	Workplace temperature level exceed 30 C in all buildings..	Increase the ventilation with additional fans.		
Mar-23	Occupational Safety and Health	Working Environment	Noise level exceeds a maximum of 90 dB for an 8-hour workday.	Ensure that noise level is below 90 dB	The noise level in each section is less than 90 db.	
Mar-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Increase the light level to reach 300 lux in Pressing section, 500 lux in Sewing, cutting, packing. 750 lux in trimming, Inspection section.		
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilet to have at least one toilet for every 25 men and one toilet for every 15 women.		
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers within their first three months of hiring.	Discuss the legal requirements with the General Manager. Pay the health cards.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management shared evidence that medical checks were provided once a year to workers exposed to work related hazards.	Discuss the legal requirements with the General Manager. Ensure that workers exposed to work related hazards receive a medical check at least twice a year.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that annual medical checks were provided to the workers.	Discuss the legal requirements with the General Manager Pay the health cards.	The factory paid the fiscal year 2022 2023, the health card(CDS) is included as required by law for medical checks.	

Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical staff.	Increase the number of nurses as required by law.	An appropriate space has been already built for the medical clinic in order to offer privacy.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	First aids boxes did not have an inventory sheet and they are missing the identification sign.	The factory needs to assign responsibility and identified all the first aid boxes.	Inventory lists are available in all the first aid boxes. All the first aid boxes are properly identified.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	The alarm system is not functioning.	Install a functioning alarm systems.	The alarm system has been repaired.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	Obstructed and improper maintenance of fire extinguishers.	Ensure regular maintenance and specify who conducts regular checks to make sure that the equipment is in place and functioning.	People are designated to ensure that regular maintenance are conducted.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	Escape routes are not clearly marked. Buildings are missing the evacuation maps.	Mark the evacuation routes and post the evacuation plan for both buildings.	The escape routes in both building have been marked. The evacuation maps are posted in both building.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	During the factory tour, assessors observed that more than 90 percent aisles were obstructed.	Specify who conduct daily weekly checks and include this in the system of daily weekly checks.	Aisles are marked and an audio has been developed to raise awareness.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six months, as recommended.	Conduct an emergency drill every 6 months.	The last fire drill was conducted in April, 2023.. The one before that was in October 2022.	
Mar-23	Working Time	Regular Hours	Inaccurate payroll.	Ensure that the factory maintain a proper attendance records. Develop a procedure in case of systems failure.	The attendance system has been adjusted. A verification is done before each payroll.	



Factory: **Caribbean Island Apparel**
 Supplier ID: **1209**
 Location: **Port-au-Prince**
 Number of workers: **2437**
 Date of registration: **Aug-13**
 Date of last two Better Work assessments: **Oct-23**
 Notes: **Sep-24**

Advisory and Training Services

06-Dec-24	Advisory meeting	Virtual advisory meeting to review of the main non-compliance points from the assessment report. EA asks management to work on a corrective action plan with timeline.
09-Oct-24	Training	Financial Literacy
19-Sep-24	Bipartite Committee Meeting	The committee discussed the follow up from the previous meeting regarding toilets, fresh water and equipment for the clinic. All the issues were addressed and workers' representatives approved management commitment.
26-Jun-24	Advisory meeting	Virtual meeting with the new compliance officer and presented Better work tools and what is expected from the new factory representatives. Advisor reviewed the evidence presented and validated the remediations on the improvement plan.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment September 2024						
Sep-24	Occupational Safety and Health	OSH Management Systems	The factory has an OSH policy that does not include all the necessary requirements.	Include the missing criteria such as the following: To establish measurable objectives and improvement targets developed in consultation with workers.		24
Sep-24	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure does not include all the necessary requirements.	Include the missing elements in the hazard/risk management and control procedure.		24
Sep-24	Occupational Safety and Health	OSH Management Systems	The accident investigation procedure does not include: - Leads to change in order to avoid reoccurrence .	Include the missing elements in the policy.		24
Sep-24	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements.	Include the missing elements in the policy.		24

Sep-24	Occupational Safety and Health	OSH Management Systems	Management has not properly defined authority for the OSH officer and the top management to perform OSH responsibilities.	Review the OSH policy and designate an OSH officer to be in charge of OSH related issues. Assign OSH responsibilities to top management to supervise the OSH officer.		24
Sep-24	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the grievance policy to include review and appeal processes and communication of changes made and/or resolution as appropriate. The policy should ensure anonymity.		24
Sep-24	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include any details on the workers' rights to defend themselves prior to termination.	Review the policy to include the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		24
Sep-24	Contracts and Human Resources	Employment Contracts	The employer does not investigate violations of HR policies and procedures.	Ensure to provide evidence that management does investigate HR violations , identify weaknesses to make necessary adjustments.		24
Sep-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles obstructed in building 11 and H4.	Ensure that the aisles remained unobstructed.		38
Sep-24	Occupational Safety and Health	Emergency Preparedness	The escape route in all buildings were not clearly marked.	Ensure that all escape routes are properly marked.		63
Sep-24	Occupational Safety and Health	Health Services and First Aid	Assessors observed one first aids box is obstructed by a table in building 12.	Ensure that the first aid boxes are easily accessible.		14
Sep-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical personnel.	Comply with the labor Code for the medical staff requirements.		44
Sep-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide free annual health checks to workers..	Pay for the CDS so workers can be fully entitled to the advance medical services provided by OFATMA.		14
Sep-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide free health checks to workers within the first 3 months of hiring.	Pay for the CDS so workers can be fully entitled to the advance medical services provided by OFATMA for the workers within their first three months of hiring.		14

Sep-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide free health checks twice a year, to workers who are exposed to chemical and hazardous substances.	Pay for the CDS so workers can be fully entitled to the advance medical services provided by OFATMA to workers exposed to work-related hazards.		14
Sep-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of functioning toilets for women.	Ensure to have an adequate numbers of toilets for women.		70
Sep-24	Occupational Safety and Health	Working Environment	Assessor did not have the means to verify the temperature in the workplace. However, during interviews, workers did complain about the temperature in the workplace.	Ensure to keep the workplace temperature to the recommended 30 degrees or below.		4
Sep-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not isolated.	Ensure to the use of chemicals is properly isolated, so as to reduce workers' exposure.		24
Sep-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory is not accurate and did not include the name of all chemicals used in the workplace.	Keep the inventory of chemicals up to date and accurate.		38
Sep-24	Occupational Safety and Health	OSH Management Systems	Management did not provide any structural safety certificate, for the buildings.	Provide the structural safety certificate.		24
Sep-24	Contracts and Human Resources	Employment Contracts	The payroll date and time, are not mentioned in the internal work rules.	Insert the payroll date and time in the internal work rules.		38
Assessment October 2023						
Oct-23	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not include several elements of an adequate policy.	Include the missing elements in the OSH policy and have it signed by top management.		
Oct-23	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure does not includes several elements of an adequate policy.	Include the missing elements in the hazard/risk management and control procedure.		
Oct-23	Occupational Safety and Health	OSH Management Systems	The accident investigation procedure does not include several elements of an adequate policy.	Ensure that the accident investigation procedure has all required elements.		

Oct-23	Occupational Safety and Health	OSH Management Systems	The factory did not show evidence that it investigates and documents violations of HR procedures.	Ensure to provide evidence that management does investigate, monitor and measure OSH issues through: - Logging and analyzing violations of procedures; - Regular management review of the effectiveness of management systems including performance on measurable objectives and targets; - Accident investigations are followed by an actual change in procedure.		
Oct-23	Occupational Safety and Health	OSH Management Systems	Management has not:- Properly defined authority for the OSH officer and top management.	Ensure to properly define authority for the OSH officer and the top management to perform OSH responsibilities through updated job descriptions and an organizational chart.		
Oct-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not have all the necessary elements.	Include the missing elements in the grievance handling and dispute resolution procedures. Specify the grievance review and appeal processes and communication of changes made and/or resolution as appropriate.		
Oct-23	Contracts and Human Resources	Employment Contracts	The factory has disciplinary and termination procedures that do not include the necessary details.	Include the missing elements in the disciplinary and termination procedures, such as workers' rights to defend themselves prior to termination, and to representation during disciplinary processes.		
Oct-23	Occupational Safety and Health	Emergency Preparedness	The fire-fighting training was not provided by a certified company or trainer.	Ensure that the fire-fighting equipment training is provided by a certified company or trainer.	The Human Resource director is in charge of providing the fire-fighting training and he is a certified fire-fighter.	
Oct-23	Occupational Safety and Health	Emergency Preparedness	The aisles were obstructed in building 13 and 14. In addition, three emergency exits were locked during working hours	Ensure that the emergency exits remains open during the working hours including overtime.	The emergency exits remain unlock during working hours including overtime.	
Oct-23	Occupational Safety and Health	Emergency Preparedness	The escape routes in all buildings were not clearly marked.	Ensure that the escape route are clearly marked.	The escape routes were remarked as needed following the assessment visit. Last time the routes were repainted were in June 2024.	

Oct-23	Occupational Safety and Health	Health Services and First Aid	Three first aids boxes are missing several products.	Ensure that first aid boxes have all necessary item.	The missing items were added to the first aid boxes.	
Oct-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Have 3 doctor's visits per week.		
Oct-23	Occupational Safety and Health	Health Services and First Aid	Annual health checks are not provided to all workers.	Pay the CDS (Health Card) as the law requires for medical checks.		
Oct-23	Occupational Safety and Health	Health Services and First Aid	Medical checks are not provided to workers within the first three months of hiring.	Pay the CDS (Health Card) as the law requires for medical checks.		
Oct-23	Occupational Safety and Health	Health Services and First Aid	Medical checks are not provided twice a year to workers exposed to work-related hazards.	Pay the CDS (Health Card) as the law requires for medical checks.		
Oct-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Ensure to have adequate numbers of toilets.		
Oct-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Ensure that lux levels are adequate in all sections of the workplace.	The light bulbs were changed in the inspection sections.	
Oct-23	Occupational Safety and Health	Worker Protection	The circuit breakers in several buildings were not labelled.	Label the circuit breakers.	All circuit breakers were properly labelled.	
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The use of chemicals is not isolated in building 14 due to the proximity of the sewing area to the spot cleaning area.	Ensure that the use of chemical is properly monitored.	The management fix repaired exhaust ventilation and provide new protective equipment to workers in the spot cleaning.	
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory did not include the name of all chemicals used in the workplace.	Ensure that chemical inventory is accurate and include all the chemicals used and stored in the workplace.	The management appointed a responsible for daily monitoring of the inventory of chemicals.	
Oct-23	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate, certifying the structure of the buildings meets the safety requirements for an industrial	Provide the structural safety certificate.		
Oct-23	Occupational Safety and Health	OSH Management Systems	The work-related accidents f were not submitted to OFATMA on a monthly basis.	Submit accident reports to OFATMA on a monthly basis.		

Oct-23	Contracts and Human Resources	Employment Contracts	The payroll date and time, are not mentioned in the internal work rules as specified in Art. 399 of the Labor Code.	Include payroll date and time in the internal work rules.		
Oct-23	Compensation	Social Security and Other Benefits	Management confirmed that they did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Share the workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Management sent the information to OFATMA for the payment of sick leave.	
Oct-23	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA is not made within the first 10 working days of the month.	Pay OFATMA contribution on time.		
Oct-23	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA is not be made within the first 10 working days of the month.	Pay the OFATMA contribution on time.		
Oct-23	Compensation	Social Security and Other Benefits	The factory does not pay OFATMA for the CDS (Health Card) as the law requires for medical checks.	Pay the OFATMA for the CDS (Health Card) as the law requires for medical checks.		
Oct-23	Compensation	Method of Payment	Workers complain about the payment after the normal working hours.	Ensure that payment is made during the working hours.	Payment is provided during working hours.	
Oct-23	Discrimination	Gender	Interviewed workers and factory staff consistently said that workers undergo pregnancy tests and tests for HIV after hiring and before workers receive their contracts.	Ensure that workers are not required to undergo HIV/AIDS or pregnancy tests in connection with their employment.	The factory did training, awareness session for its staff regarding the pregnancy tests and HIV test following their employment. Posters are also posted inside the workplace for the workers.	



Factory: **Class International Holdings LTD**
 Supplier ID: **3281**
 Location: **Ouanaminthe**
 Number of workers: **80**
 Date of registration: **Jan-20**
 Date of last two Better Work: **Apr-23** **May-24**

Advisory and Training Services

6-Dec-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment and Abuse
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
23-Oct-24	Advisory meeting	EA reviewed the improvement plan, requesting the factory to address the pending issues and document progress, including payments to ONA and OFATMA. Facilitated an exercise to identify the factory's strengths, such as worker collaboration and continued payment during work suspensions, as well as weaknesses, particularly the lack of work causing anxiety among workers. Finally, EA announced a series of upcoming training sessions on OHS and Human Resources, with workers expressing interest in training on labor rights, specifically regarding contracts and wages.
28-Jun-24	Advisory meeting	Meeting with management to review the improvement plan.
11-Apr-24	Advisory meeting	Introduction with management as their new assigned advisor. Review of the ONA and OFATMA status and OSH checklists. Management requested training on Sexual harassment prevention and OSH trainings.
14-Mar-24	Advisory meeting	Meeting to: Discuss OSH as a fundamental convention Review improvement plan with Bipartite committee.
22-Feb-24	Advisory meeting	Virtual advisory visit to: Discuss training plan with the bipartite committee.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The OSH policy does not establish measurable objectives and improvement targets.	Develop an OSH policy that establish measurable objectives and improvement targets.		8
May-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Provide evidence of regular management review of effectiveness of the management system.		51
May-24	Occupational Safety and Health	OSH Management Systems	Management did not assign accountability at the level of management and OSH committee for carrying out Health and Safety responsibilities.	Update the OSH policy to assign accountability to OSH committee on OSH responsibilities. Ensure proper training are provided to enhance members capacities.		51

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate grievance handling and dispute resolution procedure.	Include the missing elements in the grievance handling and dispute resolution		51
May-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Develop a disciplinary and termination procedure that includes the necessary elements.		51
May-24	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Perform investigations for violations of HR policies and procedures to identify weaknesses and make necessary adjustments.		51
May-24	Contracts and Human Resources	Employment Contracts	The factory has not posted the internal regulations neither trained staff on how to carry out policies and procedures.	Post the internal regulations and train the HR staff to carry out the policies.		51
May-24	Contracts and Human Resources	Employment Contracts	The Human Resources policies are not signed by top management.	Ensure that the HR policies are signed by top management.		51
May-24	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Pregnant women should go on maternity leave 6 weeks prior to their expected delivery date.		51
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request the authorization notice form MAST prior to work overtime.		8
May-24	Working Time	Overtime	Several workers worked more than 80 hours overtime per trimester.	Workers cannot work more than 80 hours overtime per trimester. Schedule overtime hour appropriately.		8
May-24	Working Time	Regular Hours	The factory did not obtain prior authorization from MAST before working at night.	Request authorization form MAST prior to work at night.		8
May-24	Working Time	Regular Hours	Workers do not punch in and out; the manual attendance done by the factory was not signed by workers.	Implement a reliable attendance record system.		26
May-24	Working Time	Regular Hours	The regular daily hours exceeds the legal limit.	Ensure that the regular daily hours are compliant with the law.		51
May-24	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the changes in the floor layout.	Design an evacuation plan that accurately reflect the layout of the floor.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Management did not share the annual inspection report for fire fighting equipment.	Ensure the fire- extinguisher equipment get a annual inspection from a certified company.		8
May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not have an alarm system and smoke detectors installed in any of the buildings.	Install an alarm system and smoke detectors in all buildings.		51

May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff.	Ensure to have a onsite clinic with 1 nurse and 3 doctors' visit per week.		51
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks is not conducted twice a year for workers working with chemicals and hazardous substances.	Provide free health checks for workers working with chemicals at least twice a year.		51
May-24	Occupational Safety and Health	Worker Protection	Personal protective equipment were not provided to all workers.	Provide necessary personal protective equipment to workers.		19
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eyewash station is not available in the mechanic workshop.	Install eye wash stations where chemicals are used and stored.		8
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	There is no evidence that workers were trained to use chemicals and hazardous substances.	Train workers who are using chemical and hazardous products and keep proper record.		51
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not properly isolated, exposing workers to chemicals and hazardous substances.	Isolated the spot cleaning from the production floor.		51
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's are missing for several hazardous and chemicals substances.	Keep material safety data sheets for all chemicals and hazardous products used in the workplace..		51
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous products are not properly labelled.	Containers of chemical product should be properly labeled, with pictograms included.		51
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances is missing several products.	Keep an accurate inventory of the chemical product used, including names and location.		51
May-24	Occupational Safety and Health	OSH Management Systems	Management did not submit work related accident record to OFATMA on a monthly basis.	Submit the accidents report to OFATMA on a monthly basis.		51
May-24	Contracts and Human Resources	Termination	The annual salary supplement upon termination does not include the weekly rest day payment.	Ensure that annual salary supplement is properly calculated and paid.		51
May-24	Contracts and Human Resources	Termination	The annual leave, upon termination, does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of the average salary for the payment of the annual salary supplement.		51
May-24	Contracts and Human Resources	Termination	The applicable notice period when the time is not provided, does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of the average salary for the payment of the applicable notice period.		51

May-24	Contracts and Human Resources	Employment Contracts	The factory's internal work rules are not compliant with the labor code.	Develop internal work rules that are compliant with the labor law.		51
May-24	Compensation	Social Security and Other Benefits	The factory does not submit workers' pay slips to OFATMA for sick leave or maternity leave payments.	Pay OFATMA and submit workers' pay slip to OFATMA for the payment of sick leave and maternity payments		51
May-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA for maternity and health insurance is inaccurate because they are not calculated based on the workers' basic salary.	Calculate the employer's contributions to OFATMA on the basic salary as stipulated in the labor code.		51
May-24	Compensation	Social Security and Other Benefits	The employer contribution to ONA, is not based on the worker's basic salary.	Calculate the employer's contributions to ONA on the basic salary as stipulated in the labor code.		51
May-24	Compensation	Social Security and Other Benefits	The workers' deduction for OFATMA for maternity and health insurance is not calculated on the workers' basic salary.	Calculate the workers' contributions to OFATMA on the basic salary as stipulated in the labor code.		51
May-24	Compensation	Social Security and Other Benefits	The worker's deduction for ONA, is not calculated on the worker's basic salary.	Calculate the workers' contributions to ONA on the basic salary as stipulated in the labor code.		51
May-24	Compensation	Paid Leave	Non working holiday pay is not based on the average earning.	Pay the holidays on the average earnings as per the law.		8
May-24	Compensation	Paid Leave	No weekly rest day payments were noted in the payroll as required by the law.	Pay the weekly rest days on the average earnings as per the law.		8
May-24	Compensation	Paid Leave	The factory has only provided 6 weeks of maternity leave to workers, instead of the 12 weeks.	Provide 12 week of maternity leave to pregnant workers.		51
May-24	Compensation	Paid Leave	The sick leave payment is not paid on the average earning.	Include the weekly rest day payment in the calculation of the average salary for the payment of the weekly rest day.		51
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The factory failed to implement some provisions of the collective agreement.	Implement all the collective agreement provisions.		19

Apr-23	Occupational Safety and Health	OSH Management Systems	Accident reports are not reported to OFATMA monthly.	The factory need to review its OSH policy to include the necessary procedure to report accident to the OSH officer who will subsequently provide the information to the HR staff to submit to OFATMA on a monthly basis. The information should be recorded on an excel format and kept in a safe place.		
Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH policy has not been developed in consultation with workers and their representatives.	Factory should hold a meeting with the bipartite committee, including workers representatives to discuss the policy and include comments from workers, as necessary and keep minutes of the meeting and signed attendance records. Share minutes with participants.		
Apr-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues.	Management needs to perform regular review of effectiveness of management system including performance on measurable objectives and targets follow-up on accident investigations that leads to a change in procedures/practices where required.		
Apr-23	Occupational Safety and Health	OSH Management Systems	The factory does not adequately communicate and implement OSH policies and procedures.	The employer needs to train all joint OSH committee members, informed visitors contractors/service providers about relevant OSH policies and procedures, post, update evacuation map and post policies and work instructions around the workplace.		
Apr-23	Occupational Safety and Health	OSH Management Systems	Management did not assigns accountability at the level of management and OSH committee for carrying out Health and Safety responsibilities.	Management needs to hire an OSH Officer and have a clear job description for the officer, defining his authority and responsibilities. They also need t train OSH committee members, assign them regular task and hold regular meeting. They should establish a system to track that the tasks are being executed as planned.	The following actions have been taken: -Posted policies and work instructions around the workplace. - Posted the names of OSH committee members.	
Apr-23	Contracts and Human Resources	Employment Contracts	No. The factory does not have a grievance handling and dispute resolution that includes all the necessary steps.	Review the Grievance policy to include a clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.	the factory is reviewing the grievance handling and dispute resolution that include: Clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, fair review, communication of changes made or resolution and an appeal process.	

Apr-23	Contracts and Human Resources	Employment Contracts	No. The factory has a termination procedures that does not include, all the necessary elements.	The factory needs to review the procedure to include the time frame between warnings and payments, the right to defend oneself prior to termination and to representation during the disciplinary process, a step-by-step warning system, and procedures related to legal notice periods and termination payments.		
Apr-23	Contracts and Human Resources	Employment Contracts	The employer does not take action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	Management needs to develop a procedure to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence. Procedure should indicate when such investigation will take place and under which circumstances.		
Apr-23	Contracts and Human Resources	Employment Contracts	The factory has not posted internal regulations nor policy.	The factory needs to post internal regulations and policies and to train staff on how to carry out policies and procedures.		
Apr-23	Contracts and Human Resources	Employment Contracts	The HR policy as part of its internal policy and includes is not signed by top management.	The policy should be signed by top management and posted on the floor.	The policies are signed now by top management and have been shared	
	Contracts and Human Resources	Employment Contracts	The factory's internal work rules is not approved by the Ministry of Labor.	They need to follow up to make sure that the document is approved	The factory has submitted their internal work rules to MAST.	
Apr-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Several articles outlined in the CBA are not being implemented.	The management of the factory should sit with the unions and the administration of CODEVI to discuss the application of the provision outlined in the CBA		
Apr-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	The factory should give pregnant workers 6 weeks of leave prior to giving birth and 6 weeks after, as mandated by the labor code. Make sure this requirement is included in their policy and post it on the factory floor.		
Apr-23	Working Time	Leave	Workers were only given 10 out of 15 days off after one year of service, as required by law.	The factory needs to provide 15 consecutive days of annual leave to all workers after 1 year of service.		

Apr-23	Working Time	Regular Hours	Workers did not punch in and out, the manual attendance did by the factory was not sign by workers.	The factory needs to install a proper functioning punch system to record the attendance for all workers.		
Apr-23	Working Time	Regular Hours	Pregnant women revealed that they did not have an additional break.	The factory needs to have a clear policy for pregnant women, in accordance with the labor code, inform all workers about the policy, post the policy on the factory and ensure that it is applied across the board.	Pregnant workers are given 4 breaks of 15 minutes according to an agreement they signed with the factory's management.	
Apr-23	Working Time	Regular Hours	Regular hours exceed the legal limit.	The factory should arrange its working hours to comply with the labor laws.	According to the June 13th decree, the lunch break is no longer an integral part of the work day. The factory has a CBA which allow them to work one extra hour per day.	
Apr-23	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	The factory needs to provide fire-fighting training to at least 10% of the staff. Schedule training and keep records.		
Apr-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six month as recommended.	The factory should include in their policy that a fire drill should be conducted every 6 months. Conduct fire drills and document them.		
Apr-23	Occupational Safety and Health	Emergency Preparedness	Several obstructed fire extinguishers were observed in the workspace.	Factory needs to designate a person to perform regular checks of the fire extinguishers and ensure that they remain unobstructed at all times.	A tour of the factory was conducted during the advisory. All fire extinguishers were unobstructed.	
Apr-23	Occupational Safety and Health	Emergency Preparedness	The factory does not have any alarm system and smoke detector install in both building.	The factory needs to install smoke detectors and alarms in all the buildings.		
Apr-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	The factory needs to include mandatory first aid training in their policy and provide training to at least 10% of the workers.	First aid training was provided by CODEVI LEKOL. A list of 33 participants was submitted as proof.	
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	The factory should establish an onsite medical clinic in accordance with the labor code.	Management explained that workers have access to use the medical facilities of the industrial park.	

Apr-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Factory needs to OFAMA for work related accident insurance on time, including the CDS. Include in their policy a schedule and timeframe to call OFATMA to provide medical checks annually for all workers.		
Apr-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Factory needs to provide medical checks twice a year for workers using chemicals and hazardous substances. Establish a policy to make sure that workers receive the medical exams twice a year. Define who is responsible to follow up and ensure that workers receive their medical checks. Keep proper documentation.	Factory submitted proof a medical check that was provided in March of 2023 to worker's using chemical and hazardous substances.	
Apr-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Factory needs to pay OFAMA for work related accident insurance on time, including the CDS. Include in their policy a schedule and timeframe to call OFATMA to provide medical checks for new workers.		
Apr-23	Occupational Safety and Health	Working Environment	Insufficient light level	Check light levels on a regular basis to ensure that lighting levels are appropriate for the tasks being perform. Change light bulbs as needed.	Factory has improving light as asked and follow with an evaluation to determine that light levels were ok. Evidence was shared.	
Apr-23	Occupational Safety and Health	Working Environment	Temperature exceed the recommended limit.	The factory needs to install the appropriate cooling system to ensure that temperature are acceptable.		
Apr-23	Occupational Safety and Health	Worker Protection	Proper PPE are not provided to all workers.	The factory need to establish a policy to acquire and supply proper PPE to all workers who needs them. Ensure that workers are trained on the proper use of PPE provided. Establish a guideline to make sure that workers use PPE when they are working.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper installation to prevent exposure. Workers are exposed to cardboard residue.	Spot cleaning should be isolated. Factory can install exhaust system to ensure that chemical fumes are not spread to surrounding areas. Provide proper installation and exhaust system for workers cutting cardboard tubes. Make sure that installation is isolated form general worker population.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers are not trained in using chemical and hazardous substances.	Provide training to all workers who are using chemical and hazardous substances		

Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS was not available in the local language for several products found in the workspace. .	The policy need to include who controls the inventory and who is responsible to obtain MSDS for the products upon arrival at the factory. Translate MSDS in local language and post them where the products are being used.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several unlabeled containers of chemical and hazardous products found in the workspace.	The policy need to include who controls the inventory and who is assigned to make sure that all chemical containers are properly labelled with name of product and pictogram indicating the dangers.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Incomplete inventory of chemical and hazardous products.	The policy need to include who controls the inventory. Establish a procedure to perform an inventory control on a regular basis. An automated system can be establish to ensure that inventory movements are recorded daily.	Factory has completed the inventory. Evidence has been shared.	
Apr-23	Contracts and Human Resources	Termination	The calculation of the average daily salary for the payment of annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break.	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	
Apr-23	Contracts and Human Resources	Termination	The calculation of the average daily salary for the payment of unused paid annual leave upon termination is not based on average daily earnings and does not include the lunch break payment.	Unused annual paid leave upon termination must be calculated based on average daily earnings.	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	
Apr-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment for the applicable notice period does not include the lunch break payment.	Pay the lunch break	This new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	
Apr-23	Compensation	Social Security and Other Benefits	the factory does pay 3 % of workers' basic salary to OFATMA.	The factory need to collect and forward worker's contributions to OFATMA for maternity and health insurance within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		

Apr-23	Compensation	Social Security and Other Benefits	The factory does not collect and forward the worker's contribution to OFATMA for maternity and health insurance.	The factory need to collect and forward worker's contributions to OFATMA for maternity and health insurance within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		
Apr-23	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is calculated on the minimum wage and does not include the lunch break payment. Furthermore it is submitted late.	The factory should send worker's contributions to ONA within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		
Apr-23	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	The factory needs to submit both worker's and employer's contributions to OFATMA on time, within the first 10 working days of the current month, for the previous month's payment. The employer can then submit worker's pay slip to OFATMA for maternity leave and sick leave payments.		
Apr-23	Compensation	Social Security and Other Benefits	The calculation for the annual salary supplement or bonus payment does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	
Apr-23	Compensation	Social Security and Other Benefits	Employer's contributions for ONA is based on the minimum salary and it is not made on time. It does not include the lunch break payment.	The factory should send employer's contributions to ONA within 10 working days of the current month for the previous month. Contributions should be collected on the average daily salary. The lunch break payment no longer needs to be included in the calculation of the average salary.		
Apr-23	Compensation	Social Security and Other Benefits	No proof of payment to OFATMA for work related accident was available and shared with the assessors for the fiscal year 2022/2023.	Factory needs to submit the declaration to OFATMA with the list of workers, make the full payment as required by law.		

Apr-23	Compensation	Paid Leave	the lunch break is not compensated in the payroll.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	
Apr-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	The factory should pay OFATMA on a regular basis, submit workers, pay slip to OFATMA so they can pay for 12 weeks. The lunch break payment does have to be included in the calculations.		
Apr-23	Compensation	Paid Leave	Sick leave payments are not calculated on average daily earnings. In addition, the calculation does not include the lunch break payment.	Sick leave payment must be calculated on the basic salary which includes all earnings except for overtime. The lunch break does not have to be included anymore.		
Apr-23	Compensation	Paid Leave	Although the annual leave payment is calculated on worker's average daily earnings, it does not include the lunch break payment.	Pay the lunch break.	The new decree puts the 3*8 law on pause until the revision of the Labor Code is completed. The lunch break payment is no longer required.	

114 BETTER WORK HAITI – 27TH SYNTHESIS REPORT



Factory: **Everbright Headwear**
 Supplier ID: **3278**
 Location: **Ouanaminthe**
 Number of workers: **1547**
 Date of registration: **Jan-20**
 Date of last two Better Work assessments: **May-23** **Apr-24**

Advisory and Training Services

15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
14-Nov-24	Industry Seminar	Bipartite Committee
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
13-Nov-24	advisory meeting	Conduct OSH tour on protective equipment , Meeting with OSH committee members and meeting with the compliance team to review the payroll
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
16-Aug-24	Industry Seminar	Virtual Chemical Management System
12-Jul-24	Training	Occupational Safety and Health (OSH)
12-Jul-24	advisory meeting	Short training on OSH . Bipartite committee meeting to present the last assessment finding, OSH tour to validate pending issues in the portal and management meeting to review compensation.
11-Jul-24	Industry Seminar	Chemical Management System
10-Jul-24	Industry Seminar	Bipartite Committee
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
5-Apr-24	Advisory services	Virtual meeting to conduct a session on HR management systems and training monitoring plan. Then review and validate pending issues in the improvement plan. Meeting with the bipartite committee to conduct a self diagnosis.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of a risk register that drives the implementation of controls.	Include a risk register in the procedure that drives the implementation of controls (list of risks with due dates, owners and next steps).		31

Apr-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate monitors and measures OSH issues.	Regular management review of effectiveness of management system including performance on measurable objectives and targets- Accident investigations are followed by an actual change in procedure.		31
Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of accountability and/or responsibilities for OSH officer as well as top management.	- Define accountability and/or responsibilities for OSH officer as well as top management - Establish clear reporting lines on OSH matters		31
Apr-24	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include communication of changes made and a resolution as appropriate.	Include in the procedure: -Communication of changes made and resolution		46
Apr-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include in the procedure: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		46
Apr-24	Contracts and Human Resources	Employment Contracts	The factory's management does not investigate shortcomings or issues in HR performance was provided during the assessment visit.	Develop HR procedure on HR performance indicators.		46
Apr-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include induction training for workers and staff.	Communicate HR policies and procedures through Induction training for workers and staff		46
Apr-24	Working Time	Overtime	The factory did not have prior authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		9
Apr-24	Working Time	Overtime	Several workers worked more than 80 hours overtime per trimester.	Ensure that workers do not exceed 80 hours overtime per trimester.		9
Apr-24	Working Time	Overtime	The factory did not have prior authorization from MAST before working on Saturday and Sunday.	Request prior authorization from MAST before working on Saturday and Sunday.		9
Apr-24	Working Time	Regular Hours	The factory did not have prior authorization from MAST before working at night.	Request prior authorization from MAST before working at night.		9
Apr-24	Working Time	Regular Hours	Assessors found some discrepancies in the attendance reviewed.	Keep an accurate attendance records for all workers.		9

Apr-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		9
Apr-24	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce in fire-fighting for the day shift and night shift.	The training of the 10 percent of workers in fire fighting in day shift has been done and 10 percent on night shift is in process.	46
Apr-24	Occupational Safety and Health	Emergency Preparedness	Escape routes were obstructed in several areas of the workplace.	Provide additional space for storing boxes.	The boxes have been removed also we have put in place a daily check in all important areas.	46
Apr-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that building 3 has only one door identify as an exit.	Provide at least two exit door for each building.	The factory has identified two exit door in each building.	46
Apr-24	Occupational Safety and Health	Emergency Preparedness	The floors need to be repainted in several areas in the buildings and evacuation route are not clearly marked.	Update the evacuation map- Paint evacuation arrows and signs.		46
Apr-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguisher and missing fire extinguishers in some areas of the workplace.	1. Provide adequate firefighting equipment. 2. Ensure regular maintenance 3. Specify who conducts regular checks to make sure that the equipment is in place & functioning	Corrected during the assessment.	46
Apr-24	Occupational Safety and Health	Emergency Preparedness	The stockroom where raw materials are stored does not have a fire detection system installed.	1. Have a fire detection system in the stock of raw material 2. include this in the system of daily-weekly checks		46
Apr-24	Occupational Safety and Health	Health Services and First Aid	None of the workers working at night have been trained in first aid.	Train at least 10 percent of the workforce for the night shift		46
Apr-24	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing items listed in the inventory.	1. Equip first aid box 2. Define responsibility for refilling 3. Define responsibility for checking and include this in the system of daily-weekly checks		46

Apr-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff.	Hire the required medical staff for day shift and night shift workers.		46
Apr-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in all toilets.	Provide soap dispenser- Define who will check that soap is available and include this in the system of daily-weekly checks.		21
Apr-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law. Ensure that paper is available in the restroom all the time.		46
Apr-24	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.		The lux level comply with the recommended limits.	9
Apr-24	Occupational Safety and Health	Working Environment	The level of noise in the workplace is unacceptable.	1- Add rubber under the machine2- Measure again the noise level & compare with threshold value		31
Apr-24	Occupational Safety and Health	Working Environment	The temperature level in the workplace is unacceptable.	1. Install additional fans2. Specify who is in charge of regular maintenance of the fans3. Conduct regular measurement of temperature & compare with threshold value	The factory has taken measure already to regulate the temperature in each area doing a proper a maintenance to the cooling system.	9
Apr-24	Occupational Safety and Health	Worker Protection	The circuit breakers were not or properly labelled. In addition, electrical boxes were obstructed in the factory.	1. Assign an electrician to labelled all circuit breakers and conduct more regularly checks 2. include this aspect in the system of daily-weekly checks		46
Apr-24	Occupational Safety and Health	Worker Protection	Several machines were missing finger guards, eye guards and pulley guards.	Develop a preventive maintenance on machine guards (which guards are needed on which machines)		46
Apr-24	Occupational Safety and Health	Worker Protection	The factory did not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment. Post signs to remind workers about the PPE obligations.		46

Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		46
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas do not have not all the safety requirements and Safety data sheets are not available for all chemicals.	Provide protective equipment and Safety data sheets where chemicals are used and stored.		46
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who is entitled to pour chemicals in other recipients and label them.	The factory have been collected all the containers without label. Someone is assigned to properly label all chemicals that enter the factory.	46
Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory is inaccurate	Assign responsible persons for updating the inventories of hazardous substances in the various locations where they are stored or used.		46
Apr-24	Occupational Safety and Health	OSH Management Systems	The employer has not trained all joint OSH committee members and posted policies and work instructions around the workplace.	- Train all joint OSH committee members. - Post policies and work instructions around the workplace.		31
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	1. Declare accidents to local authorities 2. Investigate accidents and develop preventive & remediation actions 3. Prepare investigation report		46
Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their annual salary supplement or bonus upon termination.	Pay workers their annual salary supplement or bonus upon termination as required by law.		46
Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their unused paid annual leave when they resign or terminated.	Pay workers their unused paid annual leave when they resign or terminated as required by law.		46
Apr-24	Contracts and Human Resources	Termination	Assessors were not able to verify if the employer pay workers their severance payment upon termination.	Pay workers their severance payment upon termination and keep records for at least 5 years.		46

Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor and posted in the workplace.	Request the approval of the Internal work rules. Once approved the internal work rules need to be displayed in the workplace.		46
Apr-24	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Review and make updates to the apprentice contract as required by law.		46
Apr-24	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.		46
Apr-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA.	Collect and forward workers' contributions to OFATMA monthly.		46
Apr-24	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary.	Calculate employer's contribution to ONA on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.		46
Apr-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA is made late. Furthermore, the calculation for the payment is based on the minimum salary.	Calculate Employer's contribution on Workers' basic salary. Then forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.		46
Apr-24	Compensation	Social Security and Other Benefits	Employer's contribution to ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary. Then forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		46
Apr-24	Compensation	Social Security and Other Benefits	Assessors were not able to verify that the employer pay workers correctly for annual salary supplement or bonus.	Pay annual salary supplement on the daily average salary and keep payment records for at least 5 years.		46
Apr-24	Compensation	Paid Leave	The employer did not compensate workers for the weekly rest day when they completed 48 hours or less within 5 days.	Pay the weekly rest day after 48 hours of work or 6 working days per week as required by law. Weekly rest day payment is based on the average salary.		46

Apr-24	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Register with OFATMA for maternity and health insurance to OFATMA Send workers' pay slip and documents to OFATMA Ensure that workers receive full payment for maternity leave	46
Apr-24	Compensation	Paid Leave	Assessors were not able to verify that the employer pay workers correctly for sick leave.	Register with OFATMA for maternity and health insurance to OFATMA. Send workers' pay slip and documents to OFATMA for sick leave and maternity leave payment.	46
Apr-24	Compensation	Paid Leave	Assessors were not able to verify that the employer pay workers correctly for annual leave.	Pay annual leave based on the daily average salary and keep payment records for at least 5 years.	46
Apr-24	Compensation	Wage Information, Use and Deduction	Overtime hours were not registered for several workers.	Make an amendment to the employment contract and ensure that overtime are paid to all categories of workers.	9
Apr-24	Compensation	Overtime Wages	Overtime performed at night were paid only at 50 percent above the normal wage.	Make adjustments in the payroll system and ensure that night overtime is paid with increases of 100 percent above the normal wage.	9
Assessment May 2023					
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas do not have not all the safety requirements.	Ensure that chemical storage area meet all safety requirements.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are not available for all chemicals product.	Keep chemical MSDS for all hazardous chemicals used in the workplace.	
May-23	Occupational Safety and Health	Collective Bargaining	Collective bargaining violation.	Discuss legal requirements with the factory Manager and register all workers for maternity and Health Insurance.	

May-23	Occupational Safety and Health	Emergency Preparedness	There was no smoke detector in the stock room between building 1 and 2.	Install a smoke detector in this area and add this aspect in the daily or weekly checks.		
May-23	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers, in several areas of the workplace.	Install firefighting equipment in the warehouse building.		
May-23	Occupational Safety and Health	Emergency Preparedness	The floor was not clearly marked and the evacuation plan need to be updated.	Update the evacuation map and Post evacuation map in all buildings.		
May-23	Occupational Safety and Health	Emergency Preparedness	Emergency exit was locked during the working hours and escape routes were obstructed.	Provide additional space for storing goods. Give instruction to security and staff not to close gates in case of fire.		
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted twice a year as recommended.	Conduct at least one emergency drill every 6 months.		
May-23	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce.	Train at least 10 percent of the workforce in fire-fighting.		
May-23	Contract and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Send the apprentice contracts to the Ministry of Labor (MAST) for approval.		
May-23	Contract and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		
May-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management.	Develop an HR policy that is signed by top		
May-23	Contract and Human Resources	Employment Contracts	No evidence where management investigates shortcomings or issues in HR performance was provided during the assessment visit.	investigates shortcomings or issues in HR performance.		
May-23	Contract and Human Resources	Employment Contracts	Disciplinary and termination procedures not adequate.	Include the following points in the procedure such as: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		

May-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		
May-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.		
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		
May-23	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing several items listed in the inventory list.	Equip first aid box and define responsibility for refilling.		
May-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce as recommended by Better Work.	Train at least 10 percent of the workforce in first aid.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work related accidents to OFATMA on a monthly basis.	Assign responsibilities to record work related accidents. Send a report to OFATMA and keep a copy as record		
May-23	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		

May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure.	Develop an emergency preparedness procedure that includes: Reporting fires, alerting all employees to evacuate, accounting for all employees after an evacuation.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes: A systematic approach to identifying hazards.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		
May-23	Compensation	Paid Leave	The calculation for annual leave payment does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	
May-23	Compensation	Paid Leave	Sick leave payment is not based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment. Calculate sick leave payment on the average daily salary. Lunch break payment is no longer included.		
May-23	Compensation	Paid Leave	Maternity leave payments are not based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment. Calculate sick leave payment on the average daily salary. Lunch break payment is no longer included.		
May-23	Compensation	Paid Leave	Lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	

May-23	Working Time	Regular Hours	The regular working hours are from 7:00 AM to 5:00 PM including a 1 hour daily break, 5 days a week, which is equivalent to 9 hours per day and 50 hours per week.	Ensure that regular hour do not exceed 48 hours per week.	The 3*8 Law stating that the lunch break is an integral part of the eight-hour day is no longer applicable.	
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance and payments for the fiscal year 2022-2023 have been made. However, the factory did not pay the health card (CDS).	Discuss legal requirements with the General Manager and pay the health cards.		
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment of annual salary supplement or bonus does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	
May-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contribution to ONA. However, ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		
May-23	Compensation	Social Security and Other Benefits	The factory is not registered for OFATMA maternity and health insurance.	Discuss legal requirements with the General Manager. Register with OFATMA for maternity and health insurance.		
May-23	Compensation	Social Security and Other Benefits	The factory submits employer's contributions to ONA. However, ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		
May-23	Compensation	Social Security and Other Benefits	The factory is not registered for OFATMA maternity and health insurance.	Register with OFATMA for maternity and Health insurance.		
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
May-23	Compensation	Termination	The employer provides the payment for the applicable notice period.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	

May-23	Compensation	Termination	The employer compensates workers for unused paid annual leave upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	
May-23	Compensation	Termination	The employers pays workers their annual salary supplement upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	
May-23	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Have an accurate and detailed payroll system.		
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		
May-23	Occupational Safety and Health	Welfare Facilities	During the factory tour assessors, observed that soap was not available in all toilets.	Provide soap dispenser and define who will check that soap is available.		
May-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide any training records for the use of personal protective equipment and machines.	Develop a training plan Provide training on PPE		
May-23	Occupational Safety and Health	Worker Protection	90 percent of the single-needle machines were missing their finger guards.	Define who is in charge of installing and regularly maintaining the machine guards.		
May-23	Occupational Safety and Health	Worker Protection	During the factory tour, assessors observed that one electrical box was obstructed on the floor.	Make sure that warning sign is posted on the door of the electrical panel.		
May-23	Occupational Safety and Health	Working Environment	Noise level exceed 90 dB for 8 hours/day.	Noise level should not exceed 90 dB for workers exposed to noise 8 hours/day.		
May-23	Occupational Safety and Health	Working Environment	The factory used two of the toilets in the packing section as storage. However, it is not a clean zone.	Ensure that storage area is clean. Add this aspect in the daily and weekly check.		



Factory: **HAITI BEST SEWING MFG SA**
 Supplier ID: **347**
 Location: **Arrondissement de Port-au-Prince**
 Number of workers: **269**
 Date of registration: **Oct-09**
 Date of last two Better Work assessments: **Mar-23** **Aug-24**

Advisory and Training Services

4-Jul-24	Advisory services	Summary of the advisory visit 1. Meeting with management: - Follow-up on factory's actual situation. - Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. - Factory tour.
21-Jun-24	Advisory services	Summary of the advisory visit 1. Meeting with management: - Follow-up on factory's actual situation. - Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
22-Mar-24	Advisory services	Meeting with management to: Follow-up on factory's actual situation. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024. Virtual factory tour. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment August 2024						
Aug-24	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust OSH policy and procedures.		40
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Create a hazard/risk management and control procedure that includes that all the requirements.		40
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Create an accident investigation procedure that includes all the necessary steps.		40
Aug-24	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		40
Aug-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		40

Aug-24	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include clear specification for a fair review process and how changes should be communicated.	40
Aug-24	Contracts and Human Resources	Employment Contracts	The factory did not share a recruitment procedures.	Develop a recruitment procedures that include all the step.	40
Aug-24	Contracts and Human Resources	Employment Contracts	The factory did not share a disciplinary and termination procedures.	Develop a disciplinary and termination procedures that includes all the step.	40
Aug-24	Contracts and Human Resources	Employment Contracts	The factory does not investigates HR performance and issues.	Develop a procedure on HR performance indicators and monitoring systems.	40
Aug-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure the factory has an HR policy sign by the top management with of all the necessary elements.	40
Aug-24	Working Time	Regular Hours	Factory does not provide the legally required breaks to pregnant women.	Give the legally required break to all pregnant women.	6
Aug-24	Occupational Safety and Health	Emergency Preparedness	Insufficient number of workers trained in the use of fire-fighting equipment.	Training needed for workers in fire fighting.	6
Aug-24	Occupational Safety and Health	Emergency Preparedness	Evidence of risk assessment was not available.	Develop risk assessment procedure. Perform regular risk assessment.	6
Aug-24	Occupational Safety and Health	Emergency Preparedness	The factory did not conduct an emergency drill every 6 months as recommended by Better Work.	Conduct fire drill at least twice a year.	113
Aug-24	Occupational Safety and Health	Emergency Preparedness	Emergency exits were not or properly identified in all Building.	Keep all emergency exit properly identified.	6
Aug-24	Occupational Safety and Health	Emergency Preparedness	Inaccurate and missing evacuation plan, and the floor is not properly marked.	Update and post an evacuation plans for all buildings, and ensure that escape routes are clearly marked.	121
Aug-24	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done.	102
Aug-24	Occupational Safety and Health	Emergency Preparedness	Alarm system and smoke detectors is not functioning in the cutting building	Fire alarm system and smoke detectors need to be installed and working properly in all buildings.	102
Aug-24	Occupational Safety and Health	Health Services and First Aid	First aid training had not been provided to workers.	Train at least 10 percent of the workforce in first aid.	49

Aug-24	Occupational Safety and Health	Health Services and First Aid	Keep all first aid boxes in the workplace unobstructed.	The factory needs to designate a person to monitor the first aid boxes.		40
Aug-24	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses and 3 doctor's visits per week to comply with the labor code.		152
Aug-24	Occupational Safety and Health	Health Services and First Aid	Free annual health checks was not provided to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		133
Aug-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		133
Aug-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers within the first three months of hiring.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		133
Aug-24	Occupational Safety and Health	Welfare Facilities	The factory does not conduct the water test on a monthly basic.	Conduct a water test every month to check the quality of the drinking water.		40
Aug-24	Occupational Safety and Health	Worker Protection	No evidence of training on personal protective equipment was available.	Develop a training plan and provide training on personal protective equipment to workers.		40
Aug-24	Occupational Safety and Health	Worker Protection	Several sewing machines were missing eye guards, finger guards and pulley guards.	Install the proper safety guards on all machines.		40
Aug-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE support to all workers.		6
Aug-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the spot-cleaning and chemicals storage.	The factory needs to install eyewash station in all areas where chemical products are used or store.		40
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure.	Create an emergency preparedness procedure that includes that all the		6
Aug-24	Occupational Safety and Health	OSH Management Systems	According to management there is no OSH committee in place.	Ensure, that the factory has a functioning OSH committee.		6

Aug-24	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		50
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory did not conduct OSH self assessments on a monthly basis.	Conduct and keep records of the assessment result on a monthly basis.		144
Aug-24	Occupational Safety and Health	OSH Management Systems	The employer has not developed any mechanism to ensure cooperation on OSH matters.	Develop mechanism to ensure cooperation on OSH matters, by establishing an OSH committee		6
Aug-24	Contracts and Human Resources	Termination	Inaccurate payment for unused paid annual leave when they resign or are terminated.	Calculate the unused paid annual leave on worker's daily average earnings as specified in Art. 148.		40
Aug-24	Contracts and Human Resources	Termination	Inaccurate payment of notice period when workers are terminated.	Calculate the payment of notice period on worker's daily average earnings as specified in Art. 148.		6
Aug-24	Contracts and Human Resources	Employment Contracts	The factory did not share an internal work rules with the assessors.	Ensure that the factory has an approve internal work rules by MAST.		37
Aug-24	Contracts and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure the written contracts specify the amount or salary for the position.		40
Aug-24	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send the workers' pay slip to OFATMA for sick leave payment as required by Law.		40
Aug-24	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Collect and forward worker's contribution on time to OFATMA.		90
Aug-24	Compensation	Social Security and Other Benefits	Employer's contributions to ONA is forwarded late.	Forward employer's contribution on time to ONA.		90
Aug-24	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Forward employer's contribution on time to OFATMA.		90
Aug-24	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is forwarded late.	Collect and forward Worker's contribution on time to ONA.		90

Aug-24	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2023-2024. Additionally, ensure that all documents are available in the HR department.	49
Aug-24	Compensation	Paid Leave	The factory were not able to provide evidence maternity leave payment.	Ensure that all documents are available in the HR department.	40
Aug-24	Compensation	Paid Leave	The factory were not able to provide evidence sick leave payment.	Ensure that all documents are available in the HR department.	40
Aug-24	Compensation	Paid Leave	Inaccurate annual leave payment.	Calculate the annual leave on worker's daily average earnings as specified in Art. 148.	40
Assessment March 2023					
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available at the time of the assessment visit.	Prepare an inventory for chemical and hazardous substances in the workplace and keep the inventory updated.	146
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	152
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Workers are not trained on the use and handling of chemicals and hazardous substances.	Provide chemical management system training to all workers using chemicals and hazardous substances.	147
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in the mechanic workshop.	The factory needs to install eyewash station in all areas where chemical products are used.	34
Mar-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers are not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done.	96
Mar-23	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct at least 2 emergency drill per year.	Conduct fire drill at least twice a year.	130
Mar-23	Occupational Safety and Health	Emergency Preparedness	Alarm system is not functioning in the embroidery building	Fire alarm system need to be installed and working properly in all buildings.	96

Mar-23	Occupational Safety and Health	Emergency Preparedness	Inaccurate evacuation plan and the floor is not properly marked.	Update and post an evacuation plans for all buildings, and ensure that escape routes are clearly marked.		115
Mar-23	Contract and Human Resources	Employment Contracts	Inaccurate workers contract.	Ensure the written contracts specify the amount or salary for the position.		34
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share an internal work rules with the assessors.	Ensure that the factory has an approve internal work rules by MAST.		31
Mar-23	Contract and Human Resources	Employment Contracts	The factory does not investigates HR performance and issues.	Develop a procedure on HR performance indicators and monitoring systems.		34
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share a disciplinary and termination procedures.	Develop a disciplinary and termination procedures that includes all the step.		34
Mar-23	Contract and Human Resources	Employment Contracts	The factory did not share a recruitment procedures.	Develop a recruitment procedures that include all the step.		34
Mar-23	Contract and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include clear specification for a fair review process and how changes should be communicated.		34
Mar-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure the factory has an HR policy sign by the top management with of all the necessary elements.		34
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses and 3 doctor's visits per week to comply with the labor code.		146
Mar-23	Occupational Safety and Health	Health Services and First Aid	Products in first aid boxes are missing the expiration date.	The factory needs to designate a person to monitor the first aid boxes.		34
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		43
Mar-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers within the first three months of hiring.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		129

Mar-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required	74
Mar-23	Occupational Safety and Health	Health Services and First Aid	Free annual health checks was not provided to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required	127
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH assessments reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.	138
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH bipartite meeting minutes for the last 12 months.	keep records of the meeting minutes on a monthly basis.	44
Mar-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.	44
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director	Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.	34
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not communicate and implement OSH policies and procedures.	Ensure that training are provided to all relevant staff.	34
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OSH issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.	34
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Create an accident investigation procedure that includes all the necessary steps.	34
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Create a hazard/risk management and control procedure that includes that all the requirements.	34
Mar-23	Occupational Safety and Health	OSH Management Systems	The OSH policy signed by senior management does not meet all the requirements.	Update and adjust OSH policy and procedures.	34
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Calculate the annual leave on worker's daily average earnings as specified in Art. 148.	34

Mar-23	Compensation	Paid Leave	The factory were not able to provide evidence sick leave payment.	Ensure that all documents are available in the HR department.		34
Mar-23	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Forward all worker's contribution on time to OFATMA for maternity and health.		84
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2023-2024.		43
Mar-23	Compensation	Social Security and Other Benefits	Workers' contributions to ONA is forwarded late.	Forward worker's contribution on time to ONA.		84
Mar-23	Compensation	Social Security and Other Benefits	Employer's contributions to ONA is forwarded late.	Forward employer's contribution on time to ONA.		84
Mar-23	Compensation	Social Security and Other Benefits	Late payment to OFATMA maternity and health insurance.	Forward all employer's contribution on time to OFATMA for maternity and health.		84
Mar-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send the workers' pay slip to OFATMA for sick leave payment as required by Law.		34
Mar-23	Contract and Human Resources	Termination	Inaccurate payment for unused paid annual leave when they resign or are terminated.	Calculate the unused paid annual leave on worker's daily average earnings as specified in Art. 148.		34
Mar-23	Occupational Safety and Health	Welfare Facilities	The factory does not conduct the water test on a monthly basic.	Conduct a water test every month to check the quality of the drinking water.		34
Mar-23	Occupational Safety and Health	Worker Protection	Several sewing machines were missing eye guards, finger guards and pulley guards.	Install the proper safety guards on all machines.		34
Mar-23	Occupational Safety and Health	Worker Protection	No evidence of training on personal protective equipment was available.	Develop a training plan and provide training on personal protective equipment to workers.		34
Mar-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panel are accessible and all circuit breakers are identified.		74

134 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **HANSAE HAITI S.A**
 Supplier ID: **2319**
 Location: Arrondissement de Port-au-Prince
 Number of workers: **1,850**
 Date of registration: Jan-17
 Date of last two Better Work assessments: Mar-23 Apr-24

Advisory and Training Services

6-Dec-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment and Abuse
7-Nov-24	PICC Meeting	New committee implemented following the factory reopening.
14-Aug-24	advisory meeting	Meeting to guide compliance officer on the completion of the Pr1. Copy of the guidance was sent prior to the meeting. Management to submit Pr1 draft for review and finaliz
5-Jul-24	advisory meeting	Review the improvement plan with management to record the last edits and updates. Factory rehire 12 members of the local staff to follow-up on administrative task.
21-Jun-24	Advisory Services	Meeting with management regarding the retrenchment as the factory is preparing to terminate the contract of 90 percent of his workforce due to lack orders and the possibility that they can't extend the 2 month suspension. Advisor review the different documentation and compensation package and benefits plan to be provided to the
27-May-24	Advisory Services	Meeting with the factory senior management and union regarding the factory's decision for a 2 months suspension workers. Meeting with the compliance and Human resource officers on the improvement plan. Advisor reviewed the documents shared and evidences submitted.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
26-Jan-24	Advisory Services	Meeting with Management and trade union members. Discussion was on an incident where factory terminated a worker after posting incentive tables on Facebook. Management decided to keep the sanction. Discussion was also on pending upcoming evaluation and a self assessment to see where the factory is. The fact that foreign managers not being registered in OFATMA is still a concern.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment April 2024						
Apr-24	Occupational Safety and Health	OSH Management Systems	The written OSH policy signed by management does not include all the necessary elements.	Add the missing elements in the OSH policy.		29
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the necessary elements.	Develop a hazard/risk management and control procedures that includes: A systematic approach to identifying hazards, a structure to prioritize risks based on potential impact and likelihood, a hierarchy of controls that is used to select effective controls and a risk register that drives the implementation of controls		29
Apr-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an OSH policy includes all the necessary elements.	Develop an OSH policy and procedures that includes regular management review of effectiveness of management system including performance on measurable objectives and targets. Ensure that accident investigations are followed by an actual		29

Apr-24	Occupational Safety and Health	OSH Management Systems	Management did not ensure effective functioning of the OSH committee.	Schedule regular OSH committee meetings to ensure it is effective functioning properly.		13
Apr-24	Contracts and Human Resources	Employment Contracts	The factory does not investigate shortcomings or issues in HR performance.	Develop an HR procedure that includes investigations of HR issues and periodic reviews. Provide evidence of management investigations of shortcomings or HR violations.		29
Apr-24	Working Time	Overtime	The employer did not receive prior authorization to work overtime from the department of labor.	Ensure to receive prior authorization from the department of labor before working overtime.	Management sent letters to the Ministry of Social Affairs requesting authorization to work overtime.	2
Apr-24	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes.	Complete daily inspection tour on the floor. Ensure that evacuation routes are free of obstructions.		35
Apr-24	Occupational Safety and Health	Emergency Preparedness	Evacuation routes are not clearly marked and the evacuation map is not updated.	Remark the evacuation route in building 1. Update the evacuation map to reflect the actual layout.	Maintenance traced the evacuation routes clearly, and Compliance updated the evacuation map to reflect the layout.	14
Apr-24	Occupational Safety and Health	Health Services and First Aid	One first aid box in building 20 that was missing medical supplies and no first aid box was available in the dormitory.	Ensure that first aid boxes have necessary medical supplies. Ensure that medical supplies are available in the dormitory.	The factory had installed the first aid boxes in the dormitory and put the missing medical supplies in the first aid boxes in Building 21.	2
Apr-24	Occupational Safety and Health	Health Services and First Aid	Workers did not receive free annual health checks.	Pay the health cards for all the workers on a yearly basis.	The factory complies with local law, and we pay the health cards for all workers annually.	14
Apr-24	Occupational Safety and Health	Health Services and First Aid	The workers exposed to work related hazards had not received free health checks twice a year.	Ensure that workers exposed to work related hazard received a health check twice a year.	The OFATMA medical team had started health checks on workers exposed to work-related risks, but continuity was not carried out due to insecurity.	14
Apr-24	Occupational Safety and Health	Health Services and First Aid	Management did not pay for the health cards for the workers and they did not receive free health check within the first 3 months of hiring.	Ensure that workers received the health cards within the first 3 months of hiring.	The administration will continue to follow up with OFATMA so that workers can receive their health cards.	14
Apr-24	Occupational Safety and Health	Worker Protection	Unidentified circuit breakers were found in several areas within the various buildings of the factory.	Identify all the circuit breakers.	During the assessment, maintenance identified the circuit breakers in the compressor room of building 50 and the mechanical workshop of building 1.	29

Apr-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances does not specify the locations of all products.	Specify the location where all products in the chemical inventory are stored.	During the assessment, compliance specifies the location of chemicals in the inventory.	49
Apr-24	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members.	Post OSH committee members' names where all workers can see.	Compliance posted the names of OSH committee members in all factories during the assessment. (See attached evidence)	13
Apr-24	Contracts and Human Resources	Termination	Foreign workers do not receive balance of annual salary supplement upon leaving the company because of dismissal or resignation.	Ensure to provide balance of annual salary supplement to foreign workers at the contract termination.		14
Apr-24	Contracts and Human Resources	Termination	The annual leave payment is not calculated on the average daily earning. In addition, foreign workers do not receive balance of annual leave upon dismissal or resignation.	Include all the payment in the calculation of the daily average earning. Ensure that foreign workers receive the balance of their annual leave payment upon dismissal or resignation.		14
Apr-24	Contracts and Human Resources	Employment Contracts	The contract for the foreign workers does not comply with the labor code.	Ensure that boni should be once, at the end of the year.		2
Apr-24	Compensation	Social Security and Other Benefits	The employer's contribution to ONA does not include production incentives and weekly rest day payments.	Include production incentives and weekly rest day payments in the ONA contribution.		29
Apr-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA does not include production incentives and weekly rest day payments.	Include the production incentives and weekly rest day payments in the calculations of the ONA contribution.		29
Apr-24	Compensation	Social Security and Other Benefits	Foreign workers do not receive an annual salary supplement payment or Boni.	Pay the annual salary supplement to all employee.	The top management has already revised the contract of foreign workers to comply with local legislation.	29
Apr-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Include all payments in the calculation of the average daily earning.		29
Apr-24	Compensation	Overtime Wages	The foreign workers who worked after 6pm were not paid overtime.	Pay the overtime at night 50 percent above the normal wage for the night shift.		2
Assessment March 2023						
Mar-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements.	Include missing elements in the OSH policy.	Factory updated the OHS policy to implement measures and targets in consultation with worker representatives.	
Mar-23	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure was not available at the time of the assessment visit.	Ensure that an hazard/risk management and control procedures are available.	Factory implemented the risk management and control procedure.	

Mar-23	Occupational Safety and Health	OSH Management Systems	Management does not perform a review of its management system documents.	Add the missing elements in the procedure. Conduct a review of effectiveness of management system including performance on measurable objectives and targets Accident investigations, followed by an actual change in procedures.	Factory updated the OHS policy, and annually we will continue to work and update our OHS policy.	
Mar-23	Occupational Safety and Health	OSH Management Systems	Management has not posted names of OSH committee members	Post the names of the OSH committee members where all workers can see.	Factory already posted the OSH committee's names in all factories so that workers can see the committee members in each factory.	
Mar-23	Contracts and Human Resources	Employment Contracts	Management does not investigate shortcomings or issues in HR performance.	Establish a procedure to investigate shortcomings or issues in HR performance.	Factory already implemented this indicator for investigating HR performance gaps or issues.	
Mar-23	Working Time	Regular Hours	Pregnant women in building 50 are not entitled to two period of rest in addition to the lunch break.	Ensure that pregnant women are entitled to 2 additional break of 30 minutes each.	The 2 women were trained and the extra hour of break is provided to them. All pregnant women who bring a pregnancy certificate to the administration are immediately entitled to 2 additional breaks of 30 minutes each, and HR and compliance had provided training on the Haitian labor code for all pregnant women	
Mar-23	Working Time	Regular Hours	The employer has not posted the factory's working hours for all shifts including break time in building 50.	Post the working hours including the break time in building 50. The HR department has already posted the working hours and including break time in all factories.	The factory posted the working hours with break time included.	
Mar-23	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	Ensure that the regular hours do not exceed the legal limit of 8 hours a day and 48 hours a week.	According to the decree published on June 2023, the break time is no longer considered as part of the regular working hours,	

Mar-23	Occupational Safety and Health	Emergency Preparedness	Several aisles were obstructed and one emergency exit locked during working hours including overtime.	Ensure that the aisles remained unobstructed and the emergency exits remained unlocked during the working hours.	The factory provided training on health and safety by the microphone for workers in the warehouse, cutting, packing, and stocking, and we had already discussed with the manager the aisles must be free from obstruction. For the emergency exit in the warehouse of building 1, we did the corrective action at the same time as the evaluation, and we identified that it was not an emergency exit, it was an emergency exit door that was not used and we did not put our internal security to guard the exits.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	Escape routes are not clearly marked.	Properly mark the escape routes of the Building 1 and the warehouse of building 55.	The maintenance team had already marked the escape route in the cutting department and warehouse of building 55 after the assessment.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Ensure that regular checked are performed on the fire fighting equipment.	We had already installed the fire extinguisher in the diesel stockroom and we inspected the fire extinguishers for all factories, and change some fire extinguishers that had lost pressure.	
Mar-23	Occupational Safety and Health	Emergency Preparedness	The diesel stock room has no smoke detectors neither an alarm installed.	Install fire detection equipment such as smoke detector in the diesel stock room.	Maintenance has already installed the smoke detector in the diesel stock room.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Two products in the medical clinic were not properly identified.	Identified all the medical products available in the first aid boxes.	The medical clinic has identified all medical products, and compliance will inspect the clinic monthly on this.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number nurses in the workplace.	Hire two additional nurses.	The HR department had hired 2 nurses after the assessment.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free annual health checks to all workers.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	Factory put in place a schedule to carry out the medical checks of foreign workers on July 29 and on August 5th.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free health checks to workers exposed to work-related hazard.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	The HANSAE administration has already sent a letter to the medical department of OFATMA for the medical checks of our workers.	

Mar-23	Occupational Safety and Health	Health Services and First Aid	The factory does not systematically provide free health checks to workers within the first three months of hiring.	Ensure that CDS is paid for all the workers. Contact OFATMA to provide free health checks to workers.	The HANSAE administration has already sent a letter to OFATMA medical management for the medical follow-up of our workers.	
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient numbers of toilets for women in the workplace.	Have an adequate numbers of toilet for women.	The toilets are repaired and are being used by the workers. The factory has 166 toilets for 1445 women, which compliant.	
Mar-23	Occupational Safety and Health	Working Environment	Light levels are inadequate in several section of the workplace.	Ensure that lux levels are adequate in all the departments and sections.	The compliance had provided a daily illumination report for the maintenance, and the maintenance is monitoring the light level on a regular basis.	
Mar-23	Occupational Safety and Health	Working Environment	The temperature levels exceeded 30 C in several section of the workplace.	Ensure to monitor the temperature level at a maximum of 30 C.	Factory repaired the fans through maintenance the fans. The factory bought an equipment to monitor and check regularly the temperature level.	
Mar-23	Occupational Safety and Health	Worker Protection	Workers are working at height without industrial platform ladder.	Ensure that workers have the necessary equipment to perform their duties.	The maintenance has already provided an industrial platform ladder for workers working at height during the assessment.	
Mar-23	Occupational Safety and Health	Worker Protection	The electrical installation was not properly maintained.	Ensure that maintenance are regularly scheduled and daily compliance checks are performed.	We provided the maintenance with a regular daily and monthly report, and this report will be on the control of compliance.	
Mar-23	Occupational Safety and Health	Worker Protection	The grinder in the mechanic shop is missing eye guards.	Ensure that equipment and machinery are equipped with necessary guards.	Maintenance has installed eye protection in the grinder in the mechanical workshop during the assessment.	
Mar-23	Occupational Safety and Health	Worker Protection	Factory has not provided proper PPE to all workers.	Ensure that workers received necessary protective equipment to perform their duties.	The compliance has provided safety belts for temporary workers, and goggles in the mechanic shop for workers using the grinder, we have a checklist of the EPP we provide for all workers who	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed in all areas where chemical and hazardous products are used.	Ensure that cleansing facility is available where chemicals are used and stored.	The maintenance manager has installed the eyewash stations in the 3 cleaning rooms as requested, and the eyewash station is clear of any obstruction near the mechanic area.	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	One chemical product was found without chemical safety data sheets.	Ensure that safety data sheets are available for all chemicals used and stored.	Factory displayed the safety data sheet for the Axia product in the mechanical workshop during the evaluation.	

Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical products.	Ensure to identify containers that are used in the workplace.	We had put labels on containers in this department and also provide training on hazards and safety precautions.	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Update the chemical inventory and ensure that all chemicals used and stored in the workplace are included.	We have already updated and specified in our inventory the location where the chemicals will store for each factory and accurately the name of all chemicals used in the workplace.	
Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of unused paid annual leave upon termination. does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of applicable notice period does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Contracts and Human Resources	Employment Contracts	The internal work rules do not comply with the labor code. It is missing the payment time.	Insert the time in the internal working rules.	Factory shared an addendum to the internal working rules that is approved by the Ministry of Labor.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the workers 'contribution to OFATMA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the employer's contribution to ONA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the employer' contribution to OFATMA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for the workers' contribution to ONA does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation for annual salary supplement or bonus does not include the lunch break payment.	Include the lunch break payment in the calculation of the bonus payment.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	

Mar-23	Compensation	Social Security and Other Benefits	The factory did not adequately pay CDS for all workers.	Pay the lunch break. Pay the CDS.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Paid Leave	The calculation of the average salary for maternity leave payments does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings as the calculation does not include the lunch break payment.	Pay the lunch break.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings as the calculation does not include the lunch break payment.	Include the payment of the lunch break in the calculation of the annual leave payment.	The June 13th decree suspends all provisions of the 3*8 law. The payment of the lunch break is no longer required.	
Mar-23	Forced Labor	Coercion	The foreign workers' contract are not in line with ILO recommendations.	Update the contract for the foreign workers.	Factory updated the foreign employees contract.	



Factory: **MAS AKANSYEL S.A**
 Supplier ID: **1133**
 Location: Arrondissement du Trou du Nord
 Number of workers: **1,133**
 Date of registration: Jun-17
 Date of last two Better Work assessments: Apr-23 May-24

Notes : This factory closed
 its doors in November of
 2024

Advisory and Training Services

10-Sep-24	Advisory meeting	Meeting with management staff on closure guidelines and next steps.
17-Jul-24	Training	Supervisory Skills Training
10-Jul-24	Advisory meeting	Advisory meeting with ERB. Advisor facilitated a session on issue prioritization. ERB members proposed solutions and discussed with management representatives on expected remediation and timeline for remediation.
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
19-Jun-24	Advisory meeting	Meeting with management (HR , Compliance, Chief accountant) on the Improvement plan. Factory shared evidence of remediation and advisor updated the improvement. Discussed updates regarding the ongoing retrenchment. Management is waiting for MAST approval for the termination of the nursing and pregnant women.
6-Jun-24	Advisory meeting	Meeting with management and Brand on the current industrial conflict with the unions. Advisor shared recommendations on the option for remediation and management agree to seek MAST intervention to resolve the conflict. Advisor also shared recommendations for the priority to be given to the union representatives and pregnant women during the retrenchment.
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
23-Feb-24	Advisory meeting	Meeting with the management on the factory upcoming retrenchment plan. Discussed findings that were not completed during the past cycle. Meeting with ERB members and trade unions on current concern and challenges.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The factory has not conducted - Regular test, survey and inspections.	Provide the evidence for the regular tests on OSH points.	The factory conducts OSH meeting every month with our OSH team. Moreover, we are doing an OSH audit every week.	16
May-24	Occupational Safety and Health	OSH Management Systems	The OSH committee does not meeting regularly.	Conduct OSH meeting on a regular basis.	Management conducts regular OSH meeting on a monthly basis.	16
May-24	Working Time	Overtime	The factor did not receive the approval notice from the Department of Labor to perform overtime.	Get the approval from the Department of Labor to perform overtime.		3
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime by trimester.	Ensure that overtime hours do not exceed 80 hours per trimester.	Management is managing closely the overtime to avoid such issue.	3
May-24	Working Time	Overtime	The factory did not receive the approval from the Department of Labor to perform work on Sundays.	Get the approval from the Department of Labor to work on Sundays.	No work is currently performed on Sundays.	3

May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Get the approval from the Department of Labor to perform overtime.		3
May-24	Working Time	Regular Hours	The factory did not receive the approval from the Department of Labor to perform overtime at night.	Get the approval from the Department of Labor to perform overtime at night.		3
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit and therefore do not comply with the labor code.	Keep the regular working time in the legal limit of 8 hours a day and 48 hours a week.		3
May-24	Occupational Safety and Health	Emergency Preparedness	The aisles in the sewing floor were obstructed with boxes and tables.	Keep all the aisles clear and unobstructed.	We conduct daily safety walks using a health and safety checklist, during which we highlight all health and safety issues identified each day and follow up on corrective actions until they are completed.	44
May-24	Occupational Safety and Health	Emergency Preparedness	The floor needs to be repainted. The assembly point is not visible upon exiting the emergency exit door.	Ensure that evacuation routes are clearly marked for modules 11 and 11. Have arrows to guide to the assembly points upon exiting the finishing goods emergency exit.	Management removed the demarcation to identify clear evacuation path. Direction arrow board is placed near the finishing goods emergency exit where all workers can see.	25
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire fighting equipment.	Ensure that the inspection tag on the extinguishers reflects accurately the inspection checks. Ensure that all forklift have a fire extinguisher on.	The management took corrective action during the assessment visit for the both issues.	3
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed that one alarm switch was obstructed.	Ensure that alarm is available at all time during the working hours.	The obstruction was removed during the assessment visit.	16
May-24	Occupational Safety and Health	Health Services and First Aid	Keys were not available on the floor to opened the first aid boxes. Management took corrective action during assessment.	Ensure that first aid box are accessible .	Management kept the first aid box open at all time. The issue was corrected during the assessment visit.	55
May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire an adequate number of nurses.		25
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers annually.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		3
May-24	Occupational Safety and Health	Health Services and First Aid	Medical checks were not provided to workers exposed to work-related hazards.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		3
May-24	Occupational Safety and Health	Health Services and First Aid	Management did not share evidence that medical checks were provided to workers in their first three months of hiring.	Ensure to pay the health cards to OFATMA for the annual health checks and contact OFATMA to perform the necessary checks.		3
May-24	Occupational Safety and Health	Working Environment	Temperatures exceeded the recommended 30 C.	Ensure to maintain the temperature below 30 C.		3

May-24	Occupational Safety and Health	Worker Protection	One worker was working in the mechanic shop using grinder without any personal protective equipment.	Ensure that workers are aware to safety use machines and equipment's.	Management conducted Personal Protective Equipment (PPE) awareness training for all employees working in the mechanic shop on June 25, 2024, as agreed.	25
May-24	Occupational Safety and Health	Worker Protection	Unlabeled and obstructed circuit breakers.	Ensure that all circuit breakers are identified and accessible to responsible employees assigned by management.	The issues were corrected during the assessment visit.	3
May-24	Occupational Safety and Health	Worker Protection	Employer did not provide safety to workers belt doing heavy lifting .	Provide necessary protective equipment to workers that are doing heavy lifting work.	The issue was corrected during the assessment visit.	25
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	There is no eye wash in the mechanic room.	Install an washing facility in the mechanic where chemical is used or ensure that chemical is not used inside the mechanic room.	We have a designated chemical storage room equipped with eyewash stations and PPEs. Moving forward, chemicals will only be stored in the designated chemical room.	3
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that all chemicals used in the workplace have their safety data sheets.		55
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate.	Update the inventory of chemical as necessary and include the name of all chemicals used in the workplace		81
May-24	Contracts and Human Resources	Termination	The calculation for the annual leave payment is inaccurate.	Include the allowance in the annual leave payment upon termination.		3
May-24	Compensation	Social Security and Other Benefits	The factory has not paid OFATMA for work-related accident insurance for the fiscal year 2023-2024.	Provide evidence for the payment of the fiscal 2023-2024 for OFATMA work-related accident.		3
May-24	Compensation	Paid Leave	The holidays are not paid on average daily salary to all workers.	Pay the holidays based on the average daily salary.		3
May-24	Compensation	Paid Leave	Weekly rest day payments were not compensated in the payroll for workers who accumulated 48 hours within 5 days as required by the law	Pay weekly rest day payment to workers who accumulated 48 hours within 5 days or less.		3
May-24	Compensation	Premium Pay	Assessors noted that regular hours performed at night were paid only on the minimum wage.	Pay the night shift as per law requirement.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	3
May-24	Compensation	Premium Pay	The regular hours performed on Saturdays and Sundays were paid on the minimum salary.	Have the workers working in the embroidery department work on the regular schedule as per the internal work rules.		4

May-24	Compensation	Overtime Wages	Overtime performed at night were paid only at 50 percent above the day shift wage.	Pay overtime performed at a 50 percent above normal rate at night.	Management discontinued the night shift for the Embroidery department. Therefore, moving forward, we will not be operating any night shifts.	3
Assessment April 2023						
Apr-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence that the employer investigates monitors and measures OSH issues.	Ensure that regular test, survey and inspections are conducted on a regular basis to monitor and measure OSH priorities.	Tests and other relevant things are carried out	
Apr-23	Occupational Safety and Health	OSH Management Systems	The OSH committee is not meeting regularly, to ensure that the OSH committee is functioning effectively.	Ensure that the OSH committee is meeting regularly. At least on a monthly basis.	As soon as recruiting the OSH point person, we will start back the OSH committee	
Apr-23	Occupational Safety and Health	Emergency Preparedness	The factory did not provide assessors with a list of workers who were trained in the use of fire-fighting equipment.	Ensure that 10 percent of the workforce is trained in fire fighting equipment and keep the attendance list available.		
Apr-23	Occupational Safety and Health	Emergency Preparedness	One aisle in the warehouse was obstructed by a table where a worker was performing regular work. There were a lot of cardboard boxes blocking the area as well.	Ensure that escape routes remained unobstructed.	Cleared the path by removing those boxes.	
Apr-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the layout of the building.	Ensure that evacuation plan is reflecting the current layout and include the meeting point.	This issue was fixed. That level is included and arrow point is setup upon exiting the emergency exit.	
Apr-23	Occupational Safety and Health	Emergency Preparedness	The embroidery section where cardboard boxes are used and stored does not have a fire detection system.	Install a fire detection system in the embroidery section where cardboard boxes are used and stored.	Installed a fire detection system in the embroidery section	
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory did not provide a list of workers who were trained in first aid.	Ensure that 10 percent of the workforce is trained in first aid and keep the attendance list available.	Will be conducting on September in Full factory training	
Apr-23	Occupational Safety and Health	Health Services and First Aid	All the first aid boxes are missing the checklist, so assessors could not verify if the content of the boxes are accurate.	Ensure the first aid boxes have a checklist to inform about the medical supplies that are available.	Added checklists for every first aid box	
Apr-23	Occupational Safety and Health	Health Services and First Aid	The factory does not currently have a permanent doctor. The Embroidery section has a night shift, but no medical staff is available at night.	Ensure that factory receives doctor visit at least 3 times a week.	Management has done interviews and shortlisted some candidates. Waiting for Head office approval for recruitment	
Apr-23	Occupational Safety and Health	Welfare Facilities	The last water test is not done on a monthly basis.	Ensure the drinking water is tested by an accredited laboratory on a monthly basis.	This is done. Shared Evidence	
Apr-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for women.	Ensure that factory has adequate number of toilets for women and all the toilets are fully functioning.	Factory will write to the park management requesting this and once we receive the direction, will start	

Apr-23	Occupational Safety and Health	Worker Protection	The factory did not provided safety belt to worker in the warehouse and packing area, for heavy lifting.	Provide safety for the workers in the warehouse and packing area doing heavy lifting work.	In Progress. Management has requested quotations from suppliers.	
Apr-23	Occupational Safety and Health	Worker Protection	No personal protective equipment found in the boiler room and no ear protector was found in the compressor room .	Provide all necessary protective equipment for the boiler room operators.	This is done. Provided PPE to relevant employees	
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical safety data sheets were not available for several products.	Ensure that chemical safety data sheets are available for all chemical used and stored in the workplace.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Different types of flammable product were found next to each other.	Store chemical and hazardous substances adequately.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several containers were found without labels and several other products were identified in a foreign language.	Ensure that product labelling is accurate. Review the labelling format.		
Apr-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances is not updated and accurate.	Ensure the inventory of chemicals includes all chemical used and stored in the workplace.		
Apr-23	Occupational Safety and Health	OSH Management Systems	The employer did not submit a copy of the structural safety certificate.	Ensure that the structural safety certificate is available for any relevant purpose.	Received the certificate and shared with BW.	
Apr-23	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA is made on the minimum salary.	Ensure that OFATMA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared. Employee representatives, ERB members did not initially agreed with MAST's direction and requested MAST, ONA, and OFATMA visit the facility and communicate with all workers. Further, as advised by enterprise advisor, MAS Akansyel need to be cautious when implementing this to avoid any work stoppage or strike. Therefore, please give us some time to implement the same.	
Apr-23	Compensation	Social Security and Other Benefits	The employers' contribution to ONA is based on the minimum salary.	Ensure that ONA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared.	
Apr-23	Compensation	Social Security and Other Benefits	The employers' contributions to OFATMA is based on the minimum salary.	Ensure that OFATMA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared.	
Apr-23	Compensation	Social Security and Other Benefits	The workers' contribution to ONA is based on the minimum salary.	Ensure that ONA contribution is accurate and include all the pertinent payroll elements.	With the collaboration of ONA, OFATMA, Ombudswomen, BMAST, DGI, Enterprise advisor over many months it is finally cleared.	

Apr-23	Forced Labor	Coercion	The factory failed to provide evidence that the workers were committing violence during the strike when violence was the motive for the dismissal.	Reinstate all the 43 workers dismissed after the strike or provide proof of labor laws violated that justify actions taken.	These employees were terminated under article 42 A and G of the Haitian Labor Code. All obligations of the employees are covered under article 30 of the Haitian Labor code. They were terminated not because they participated in an illegal strike; but rather because they breached the said articles while causing a serious disturbance to the discipline and work stoppages in the factory. Thus, they breached the obligations of Article 30 of the Haitian Labor Code while breaching the Article 42 A & G. In addition, workers were observed to have caused assault against a comrade and caused serious disturbance to the discipline (42 A). Proof of assault against a comrade and proof of disturbance to the discipline were shared. Obtain the written confirmation from all 43 employees accepting their violation of the Haitian labor code including article 42 A & G and relevant disciplinary actions taken. Proof of samples acceptance letters shared by e-mail. MAST visited the facility and observed 43 workers disrupting the operations in defiance of the Haitian labor code including article 203 and did not find any objection in taking disciplinary actions against said 43 workers. MAST report During the Better Work assessment on 26th April 2023, it was recommended by the auditors to obtain a written authorization from MAST confirming MAS Akansyel retrenchment process in accordance with the law as the facility did not have this written authorization at that time. Therefore, on June 13, 2023, MAS Akansyel obtained a written authorization from MAST confirming the retrenchment process was done in accordance with the law. Copy of written authorization shared by e-mail. Appreciate it if Better Work could mark this as completed.	
Apr-23	Discrimination	Gender	19 female workers were terminated during pregnancy, maternity leave and breastfeeding.	Reinstate the 19 pregnant workers, pay compensation or obtain written authorization from MAST.		

148 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **MB Jeans Haiti (PVT) Ltd**
 Supplier ID: **3323**
 Location: **Ouanaminthe**
 Number of workers: **345**
 Date of registration: **Mar-20**
 Date of last two Better Work assessments: **May-23**

May-24

Notes : This factory closed its doors in May 2024

Advisory and Training Services

17-May-24	Advisory meeting	Meeting with the bipartite committee to review the summary report from the last assessment and follow-up on the improvement the factory already done. Conducted a factory tour with the factory compliance officer, to verify the OSH issues that the factory already solved.
12-Apr-24	Advisory meeting	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation. Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024. Follow-up on the retrenchment process and provide recommendation for a responsible retrenchment.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
26-Jan-24	Advisory meeting	Meeting with management to: Follow-up on factory actual situation. Follow-up on OFATMA insurance implementation Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold. Added all corrective actions completed in the improvement plan.

The factory is closed since May 2024.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		21
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure that includes all the requirements	Update and adjust emergency preparedness procedure		21
May-24	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		21
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not adequately assigns accountability for health and safety to OSH Officers and HR Director	Assign a dedicated OSH Officer. Ensure that the factory conduct the joint OSH Committee meetings to address OSH issues.		14

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures that includes all the steps.	Update and adjust disciplinary and termination procedures.		21
May-24	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		21
May-24	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Provide training to HR personnel in the implementation of the HR policy. Post the policy on the factory floor. Ensure that all the steps are in place in the		21
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that includes all the necessary elements.	Develop an HR policy that includes all the necessary elements.		21
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST before working overtime.		2
May-24	Working Time	Overtime	The factory does not comply with the limit on overtime hours worked.	Ensure that workers do not exceed the limit of overtime hours specified in the Labor Code.		2
May-24	Working Time	Regular Hours	The employer did not received authorization form the Ministry of Labor to work at night.	Request prior authorization from MAST before working at night.		2
May-24	Working Time	Regular Hours	The employer did not post the factory's working hours for all shifts including break time.	Post the factory's working hours for all shifts including break time.		2
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit as specify in the labor code.	Modify the regular daily or weekly hours to comply with the labor code.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Assessors noticed rechargeable bulb covered by piece of fabric, in some sections.	Make sure the source of ignition problem is fix.		2
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes and emergency exits in several sections of the workspace.	Keep routes and emergency exits unobstructed during working hours.		14
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done		2
May-24	Occupational Safety and Health	Health Services and First Aid	Several first aid boxes were not accessible and some were missing medical supplies.	The factory needs to designate a person to monitor all first aid boxes.		21
May-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical personnel.	Ensure that the free zone or the factory has adequate medical facilities		21
May-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers annually.	Provide health checks to workers annually.		21
May-24	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards twice a year.	Provide health checks to workers exposed to work-related hazards at least twice a year.		21

May-24	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area for the workers.		21
May-24	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in all toilets.		2
May-24	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		14
May-24	Occupational Safety and Health	Working Environment	Workplace temperatures are unacceptable.	Monitor the temperature and maintain it under 30 C inside the workplace.		21
May-24	Occupational Safety and Health	Worker Protection	Single needle Sewing machines were missing finger guards.	Install the proper safety guards on all machines.		2
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE where it is needed for all workers.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not assess, monitor and record workers' exposure to hazardous substances.	The factory needs to assess, monitor and record workers' exposure to hazardous substances.		2
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		21
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.		21
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		2
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a written emergency preparedness procedure that includes all the requirements.	Develop an preparedness procedure that includes all the necessary requirements.		2
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work-related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA on a monthly basis.		2
May-24	Contracts and Human Resources	Termination	The employer does not pay workers their annual salary supplement or bonus correctly upon termination.	Pay workers their annual salary supplement upon termination and include weekly rest day payment in the calculation		21
May-24	Contracts and Human Resources	Termination	The employer does not compensate workers properly for unused annual paid leave.	Pay the unused paid annual leave upon termination and include weekly rest day payment in the calculation		21
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.		21
May-24	Contracts and Human Resources	Employment Contracts	The contract for the night shift and Dominicans workers does not comply with the internal work rules.	Update the contract of all workers in the factory to be in compliance with the internal work rules.		21

May-24	Compensation	Social Security and Other Benefits	The factory did not send workers' pay slip to OFATMA for sick leave and maternity leave payment.	Send workers' pay slip to OFATMA for sick leave and maternity leave payment.		21
May-24	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then forward employer's contribution to OFATMA.		21
May-24	Compensation	Social Security and Other Benefits	The Factory does not forwards employers' contributions to ONA on time.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory is closed and CODEVI administration did not show any prove of payment to Better Work	21
May-24	Compensation	Social Security and Other Benefits	The employer collects but does not forwards workers' contributions to ONA on time.	Calculate ONA contributions on the basic salary, and forward it on time.	The factory is closed and CODEVI administration did not show any prove of payment to Better Work	21
May-24	Compensation	Social Security and Other Benefits	The factory did not submit any proof of payment for OFATMA work related accident insurance for the fiscal year 2023-2024.	Ensure that the factory has an agreement with OFATMA for work related accident payment.	The factory is closed prove of payment to Better Work	21
May-24	Compensation	Paid Leave	Inaccurate payment for legally mandated holiday.	Pay working holiday on the average earning as required by the law.		2
May-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Pay the weekly rest day as required by the law.		2
May-24	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings. Pay 12 weeks of maternity leave to workers		21
May-24	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings, including the weekly rest day as required by the law.		2
May-24	Compensation	Overtime Wages	The employer does not pay 100% above the normal wage for overtime hours worked at night.	Pay 100% above the normal hours for overtime hours worked at night.		2
May-24	Compensation	Overtime Wages	The employer does not pay 50% above the normal hours for overtime worked on weekly rest day.	Pay 50% above the normal hours for overtime worked on weekly rest day.		2
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several articles in the CBA.	Review the CBA and implement all articles as stated in the document.		14
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		

May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an emergency preparedness procedure that includes all the requirements.	Update and adjust emergency preparedness procedure		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures that includes all the steps.	Update and adjust disciplinary and termination procedures.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigate performance of HR.	Ensure that all parameters are reviewed during the HR review.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place to communicate and implement the HR policy in the factory.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that include all the necessary elements.	Make sure that the factory has an HR policy in place.		
May-23	Working Time	Leave	Inaccurate maternity leave to pregnant workers.	Ensure that pregnant workers are going home 6 weeks before giving birth.		
May-23	Working Time	Regular Hours	Pregnant workers from the finishing area are not allowed to take two extra breaks.	Give the legally required break to all pregnant women.	The factory provide 2 additional breaks of 30 minutes to pregnant women since they fired the finishing manager.	
May-23	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct at least 2 emergency drill per year.	Conduct fire drill at least twice a year.		
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed evacuation routes.	Keep evacuation routes unobstructed.		
May-23	Occupational Safety and Health	Health Services and First Aid	One first aid box was not accessible in the boiler room.	The factory needs to designate a person to monitor all first aid boxes.		
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff as required by labor code.	Ensure that the free zone or the factory has adequate medical facilities		
May-23	Occupational Safety and Health	Health Services and First Aid	Free health checks was not provided to workers exposed to work-related hazards.	Provide health checks to workers exposed to work-related hazards at least twice a year.	The factory has completed the payment for the CDS which entitled the workers to received health checks from OFATMA.	
May-23	Occupational Safety and Health	Welfare Facilities	Eating area is not adequate to accommodate the entire workforce.	The factory needs to find an additional eating area for the workers.		

May-23	Occupational Safety and Health	Working Environment	The light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
May-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and Create a maintenance log	The factory removed the combustible material inside the electrical panel.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.		
May-23	Contracts and Human Resources	Dialogue, Discipline and Disputes	A foreign manager was addressing the workers in an abusive and improper language.	Provide additional training, Conduct regular self-assessment and apply the disciplinary and termination procedure.	The factory fired the finishing manager. Based on a meeting with bipartite committee they said there is a mutual respect between management and workers right now.	
May-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Contracts and Human Resources	Termination	The factory does not provide all the terminated workers files requested.	Ensure that all documentations are available in the workplace including the files of terminated workers.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Send the factory internal work rules to MAST for approval.	The factory sent internal work rules to MAST since 18 of July 2022 for approval.	
May-23	Contracts and Human Resources	Employment Contracts	The Dominican workers contract does not comply with the internal work rules.	Ensure that all contracts are in compliance with the factory internal work rules.		
May-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		

May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then forward employer's contribution to OFATMA.		
May-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.		
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register the factory with OFATMA and then Collect and forward workers contribution to OFATMA.		
May-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.		
May-23	Compensation	Social Security and Other Benefits	Inaccurate payments for OFATMA accident insurance.	Ensure the factory paid the work related accident on time to OFATMA including the CDS, and has an agreement with OFATMA for payment.		
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Pay 12 weeks of maternity leave to workers		
May-23	Freedom of Association and Collective Bargaining	Strikes	Industrial relation dispute in the workplace.	Ensure that the factory establish a retrenchment plan in consultation with workers' representatives and notify the Ministry of Social Affairs in such cases.		
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Review the CBA and implement all articles as stated in the document.		
May-23	Discrimination	Race and Origin	Workers interview reported that one foreign manager was addressing the workers with abusive and improper language.	Provide additional training, conduct regular self-assessment, and apply the disciplinary and termination procedure.	The factory fired the finishing manager. Based on a meeting with bipartite committee they said there is a mutual respect between management and workers right	

155 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **MBI HAITI S.A**
 Supplier ID: **1215**
 Location: **Port-au-Prince**
 Number of workers: **1555**
 Date of registration: **Aug-13**
 Date of last two: **Mar-23** **Feb-24**
 Better Work

Advisory and Training Services

23-Oct-24	Advisory meeting	During the meeting with the bipartite committee, EA reviewed the improvement plan, requesting the factory to address the pending issues and document progress, including payments to ONA and OFATMA. An exercise identified the factory's strengths, where workers identified strong points and points that requires remediation.
16-Aug-24	Industry Seminar	Virtual Chemical Management System
7-Aug-24	Advisory meeting	Meeting with factory manager and HR officer to review the status of non-compliance point. The discussion was also on the remediation regarding the freedom of association non-compliance point.
3-Jul-24	advisory meeting	Meeting with compliance officer and HR officer to review the status on the non-compliance point. The discussion was also on the remediation regarding the freedom of association non-compliance point.
28-Apr-24	Advisory services	Advisory meeting with the bipartite committee members, to help them identify and prioritize the issues that affect the factory's working environment. Management committed to follow up on the issued raised.
25-Apr-24	PICC Meeting	Advisory meeting with PICC meeting. Advisor facilitates a meeting where the members identified and prioritized the issues. Managed committed to follow up on the issued raised.
8-Apr-24	Advisory meeting	Introductory meeting as their new appointed advisor. The discussion was on the priorities for the year and the FOA remediation points. Factory to make an effort to close this point as promptly possible.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment February 2024						
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Ensure that the hazard/risk management and control procedure has all the required elements.		30
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure that includes all the requirements.	Develop an accident investigation procedure that includes all the required elements.		30

Feb-24	Occupational Safety and Health	OSH Management Systems	The employer did not show evidence of regular review of the OSH management system for its effectiveness and performance on measurable objectives and targets.	Develop and OSH management system procedure which includes measurable objectives, targets and periodic review for effectiveness.		30
Feb-24	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures do not include fair review, an appeal process, and communication of changes made or resolution.	Include all the missing requirement in the grievance handling and dispute resolution procedures.		30
Feb-24	Contracts and Human Resources	Employment Contracts	The employer does not take action to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.	Establish an investigative procedure for violation of HR policies, document it and report the evidence of the investigation to management for proper follow up.		30
Feb-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include does not include all the necessary elements.	Ensure that the HR policies and procedures include all the required elements.		30
Feb-24	Working Time	Leave	The security guards were not granted 15 days of annual leave, as required by law.	Provide 15 consecutive days of annual leave to all workers, including the security guards.		14
Feb-24	Occupational Safety and Health	Emergency Preparedness	Assessors observed several aisles were blocked by fabric tables in building 53.	Ensure that the aisles remained accessible and free from any obstacles during the working hours.		50
Feb-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of onsite nurses.	Hire 5 more nurses to be compliant with the labor laws.		50
Feb-24	Occupational Safety and Health	Health Services and First Aid	Workers exposed to chemical and hazardous products did not received free health checks twice a year.	Ensure that workers that are exposed to chemical and hazardous products received health checks twice a year.		30
Feb-24	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis.	Ensure the water test is performed on a monthly basis.	Last test was conducted on March 2024.	14

Feb-24	Occupational Safety and Health	Welfare Facilities	No adequate hand washing facilities or soap observed in the restrooms during the assessment visit.	Provide washing facilities and soap are provided in the restrooms.		4
Feb-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Have the adequate number of toilets for men and women according to the workforce.		4
Feb-24	Occupational Safety and Health	Working Environment	The workplace was not clean and tidy at the time of the visit.	Ensure that the workplace is clean and tidy.		4
Feb-24	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Ensure that the level of lighting is adequate in the pressing and the sewing section.		50
Feb-24	Occupational Safety and Health	Working Environment	Noise levels are not acceptable in the pressing area.	Maintain the noise level to a maximum of 90 db.		50
Feb-24	Occupational Safety and Health	Working Environment	The workplace temperatures exceeded the recommended 30 C in several sections.	Maintain the temperature level to the maximum of 30 dB or under.		50
Feb-24	Occupational Safety and Health	Worker Protection	Three chairs without backrest and in poor condition on the floor of buildings 53.	Ensure that all chairs have backrest and in good condition.	The three chairs were replaced by chair with back rest and in good condition.	4
Feb-24	Occupational Safety and Health	Worker Protection	Several machines were without eye guards in building 52.	Ensure the sewing machines are equipped with their safety guards.		4
Feb-24	Occupational Safety and Health	Worker Protection	Personal protective equipment were not available for all workers.	Provide the necessary personal protective equipment to the workers.		30
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eyewash station in spot cleaning of Building 54 was not working properly.	Ensure that all the eyewash facilities are functioning properly.		4
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	One container of an unidentified liquid in the mechanic shop in Building 53.	Label all chemicals and hazardous substances used in the workplace.		50
Feb-24	Occupational Safety and Health	OSH Management Systems	The employer has not performed an assessment of occupational safety and health risks in the factory on a regular basis.	Perform an assessment of occupational safety and health risks on a monthly basis.		4

Feb-24	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate for the buildings.	Provide the structural safety certificate.		4
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not perform regular OSH self assessments on a monthly basis.	Ensure that internal OSH assessments are conducted on a monthly basis.		4
Feb-24	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Ensure that annual leave upon termination is calculated on the average daily earning .		37
Feb-24	Contracts and Human Resources	Employment Contracts	The internal work rules do not include entry and exit hours, pay location and times of payment.	Include all the missing elements in the internal rules.		14
Feb-24	Contracts and Human Resources	Employment Contracts	Several mechanics reported that they were assigned additional tasks such as sweeping the floor and painting the walls of the factory, despite their contracts specifying their employment as mechanics. They confirmed that they were required to do so under threat of dismissal.	Ensure that working conditions and responsibilities are clearly disclosed in the contract.		4
Feb-24	Contracts and Human Resources	Employment Contracts	The foreign worker's contract does not include the employer's information as well as the employee's salary.	Include the missing elements in the contract.		35
Feb-24	Compensation	Social Security and Other Benefits	The employer's contribution to OFATMA for maternity and health insurance payment is not submitted on a monthly basis.	Pay OFATMA contribution on time.	Last payment was made in July for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The required employer contribution to ONA is not submitted on a monthly basis.	Pay the ONA contribution on time.	Last payment was made in June for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA for maternity and health insurance is not submitted on a monthly basis.	Pay the OFATMA contribution on time.	Last payment was made in July for the month of May 2024.	35
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA for maternity and health insurance is not submitted on a monthly basis.	Pay the ONA contribution on time.	Last payment was issued on June 18, 2024 for the month of May 2024.	35

Feb-24	Compensation	Social Security and Other Benefits	The factory did not provide the monthly salary statements form sent to OFATMA for work related accident insurance and the authorization for installment payments for fiscal year 2022-2023.	Submit the required document to confirm that the amount paid is adequate. Submit the proof of payment for fiscal year 2023-2024.		14
Feb-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Ensure that annual leave is calculated on the average daily earning.		35
Feb-24	Freedom of Association and Collective Bargaining	Freedom to Associate	The factory fired 6 union members on the list with no solid ground for dismissal.	Reinstate the six terminated workers. Ensure to discuss an agreement with the trade union on way to operate solid and respectful communication between both parties. Train management on Freedom of association.	The employed negotiated a memorandum with the union as a settlement of the conflict. A new trade union committee of 12 members was introduced to the management on May 20. The terminated workers have not yet reintegrate the	4
Assessment March 2023						
Mar-23	Occupational Safety and Health	Welfare Facilities	Provide free drinking water to workers but does not conduct the water test monthly.	Ensure that water test is conducted monthly basis.	The Factory shared with assessor the water test for the month of May 2023.	
Mar-23	Occupational Safety and Health	Working Environment	The noise level in some areas of the workspace exceeded 90 db.	Take appropriate measures to keep the noise level below 90db.		
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not record and submit work-related accidents to OFATMA on a monthly basis.	Record and submit work related accidents to OFATMA on a monthly basis.	The factory sent accident reports to OFATMA on a monthly basis.	
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update and adjust hazard/risk management and control procedures.		
Mar-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a written accident investigation procedure that includes all the requirements.	Develop an accident investigation procedure which includes all the necessary elements.		
Mar-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		

Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not have a grievance handling and dispute resolution procedure that meets all the requirements.	Update and adjust the grievance policies and procedures.		
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigate performance of HR.	Ensure that all parameters are reviewed during the HR performance review.		
Mar-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place to allow the factory to implement its HR policies.		
Mar-23	Working Time	Leave	The factory does not grant the required annual leave to security guards.	Factory must provide all workers with 15 days of paid annual leave as required by law.		
Mar-23	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week.		
Mar-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several sections of the workspace.	Keep routes unobstructed during working hours.	The factory cleared all aisles during working hours, including overtime.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid.	Train at least 10 percent of the workforce in first aid.		
Mar-23	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not accessible in the sewing floor of one building.	Ensure that first aid boxes are accessible in all building.	All first aid boxes are accessible on the floor of building 53.	
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical personnel.	Hire additional nurses to comply with the labor code.		
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete annual medical checks provide to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required.		
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provided twice a year to workers exposed to work-related hazards.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required.		
Mar-23	Occupational Safety and Health	Health Services and First Aid	Incomplete medical checks provided within the first three months of hiring to workers.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required.		

Mar-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
Mar-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
Mar-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Ensure that all electrical panels have a hazard sign and circuit breakers are properly labelled.	The factory added the missing hazard sign and correctly labeled all circuit breakers.	
Mar-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers doing heavy lifting work.		
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.		
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.	The factory has labeled all chemicals and hazardous substances used in the workplace.	
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		
Mar-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Contracts and Human Resources	Employment Contracts	The internal rules do not comply with the Labor Code.	Revised the internal rules to include entry and exit hours, pay locations and times of payment.		

Mar-23	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the employee's salary.	Review the foreign workers contract to include all the missing information.		
Mar-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
Mar-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate and payments are made late consistently.	Calculate ONA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for OFATMA payment is inaccurate and payments are made late consistently.	Calculate OFATMA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate and payments are made late consistently.	Calculate OFATMA contributions on the basic salary, and forward it on time.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment for annual salary supplement.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.		
Mar-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	

Mar-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. It is no longer required to pay the lunch break.	
Mar-23	Compensation	Overtime Wages	Inaccurate payment of overtime.	Pay Overtime correctly as required by law.		



Factory: **MD Industries**
 Supplier ID: **3280**
 Location: **Ouanaminthe**
 Number of workers: **3,990**
 Date of registration: **Jan-20**
 Date of last two Better Work assessments: **Jun-23** **May-24**

Advisory and Training Services

15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
14-Nov-24	Advisory meeting	Short training on OSH and factory tour on emergency preparedness
14-Nov-24	Industry Seminar	Bipartite Committee
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
18-Sep-24	Industry Seminar	Sectorial Policy Workshop on GBVH
16-Aug-24	Industry Seminar	Virtual Chemical Management System
19-Jul-24	Industry Seminar	Bipartite Committee
16-Jul-24	Advisory meeting	Conduct OSH tour to verify pending issues in the portal, Management meeting on compensation and bipartite meeting. Follow up on the Strike that occurred in July.
11-Jul-24	Industry Seminar	Chemical Management System
10-Jul-24	Industry Seminar	Bipartite Committee
16-May-24	Advisory services	Meeting with Management to follow up on the work stoppage, Meeting with worker's representative on the working conditions. Provide guidance on how to implement FOA policy at the factory level.
15-Mar-24	Industry Seminar	Virtual Introduction to Workers Rights & Responsibilities
26-Feb-24	Advisory meeting	Virtual meeting to conduct a session with the compliance team to review and update pending issues on the improvement plan. Provide guidance and recommendation on internal policies and procedures in place.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop an OSH policy in consultation with workers and their representatives, that establish measurable objectives and improvement targets.		30

May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes:- Root cause analysis- Focus on sustainable solutions- Implementation of changes in order to avoid reoccurrence.		30
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitors and measures OSH issues.	Hold regular meeting with management to define and review OSH performance on measurable objectives and targets.		30
May-24	Contracts and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Review and update the policy, ensure it includes anonymity.		30
May-24	Contracts and Human Resources	Employment Contracts	The factory's recruitment procedure is not adequate.	Develop a recruitment procedure that includes: - Hiring criteria that are applied equally to all job applicants - Verifying the age of workers prior to hiring - Ensuring compliance with legal requirements for workers under age 18 - Ensuring that workers retain ID documents		30
May-24	Contracts and Human Resources	Employment Contracts	The employer investigates violations of HR policies and procedures.	Develop HR system performance indicator procedure.		30
May-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include all the necessary steps.	- Provide induction training for workers and staff - Staff training on how to carry out policies and procedures - Display policies and internal regulations in the factory.		30
May-24	Working Time	Leave	Pregnant workers do not go on maternity leave six weeks before giving birth, as required by article 322 of the labor code.	Send workers home 6 weeks before giving birth as required by law.		8
May-24	Working Time	Overtime	The factory did not receive the approval notice from the Department of Labor prior to working overtime.	Request authorization to work overtime. Ensure that the factory received the approval notice from MAST before working overtime.		8
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Have a time recording system, which indicates the accumulated overtime per week, per month and per year.		8

May-24	Working Time	Overtime	The factory did not receive authorization from MAST to work on Sundays.	Request prior authorization from MAST to work on Sundays.		8
May-24	Working Time	Regular Hours	The factory did not receive authorization from MAST to work at night.	Request prior authorization before working at night.		8
May-24	Working Time	Regular Hours	Some workers did not punch in and out. However, they had time for normal hours in their payroll record.	Have a single and accurate attendance system for all workers.		45
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit.	Discuss legal requirements with the General Manager Ensure that the regular daily or weekly hours do not exceed the legal limit of 8 hours per day.		8
May-24	Occupational Safety and Health	Emergency Preparedness	The employer has trained less than 10% of the workforce in the use of fire-fighting equipment.	Train at least 10% of the workforce in the use of fire-fighting equipment.		8
May-24	Occupational Safety and Health	Emergency Preparedness	The employer did not conduct an emergency drill every six months in all buildings.	Conduct at least 2 emergency drill per calendar year.		45
May-24	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed.	Discuss with the engineering department about the floor capacity and provide additional space for storing goods.		45
May-24	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers in several areas of the workplace.	Mark on the floor, to prevent that fire fighting equipment is blocked. Specify who conduct daily weekly checks and include this in the system of daily-weekly checks.		45
May-24	Occupational Safety and Health	Emergency Preparedness	Alarm in systems was not working properly.	Have a fire detection and alarm system suitable for the factory conditions. Specify who is in charge of regularly checking its functioning and include this in the system of daily-weekly checks.		8
May-24	Occupational Safety and Health	Health Services and First Aid	Less than 10% of the workforce has been trained in first aid.	Train at least 10% of the workforce in first aid.		45

May-24	Occupational Safety and Health	Health Services and First Aid	First aid boxes were missing in some buildings and keys were not available for some.	Add an additional first aid box and equip all first aid boxes. Make sure that keys are always available to open the boxes in case of an emergency.		8
May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff.	- Set up a clinic, in addition make a contract with a health care unit in the surroundings - Hire the required medical staff		45
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the current workforce as required by law.		45
May-24	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		45
May-24	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		45
May-24	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide chemical mask to workers in the spot cleaning areas.		45
May-24	Occupational Safety and Health	Worker Protection	During the factory, assessors found 22 chairs found without back rest.	Provide chair with back rest.	The chairs without backrest have been removed.	8
May-24	Occupational Safety and Health	Worker Protection	The circuit breaker were not properly labelled in the electrical panels.	Label all circuit breakers and add this aspect in the weekly checks.		8
May-24	Occupational Safety and Health	Worker Protection	15% of all machines missing pulley guards and 90% of single needle machines are missing finger guards.	Develop a monitoring system and install all the missing guards. Add this aspect in the daily weekly checks		45
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide protective belts to employees doing heavy lifting.	Provide safety belts to employees doing heavy lifting.		45

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning is not isolated from the production area.	Improve isolation from the chemical such as separate room for spot cleaning. Then, assign responsibility for regular check including wearing of PPEs.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemical product used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals products are found in the workplace.	Define who control the chemical container on receipt from supplier and control the label.		45
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	1. Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used 2. Specify who is in charge of maintaining one central inventory for the company 3. Define who will be responsible for checking		45
May-24	Occupational Safety and Health	OSH Management Systems	The factory has not effectively communicated and implements OSH policies and procedures.	- Post policies and work instructions in all buildings. - Post names of OSH committee members in all buildings.		30
May-24	Occupational Safety and Health	OSH Management Systems	Management did not provide a structural safety certificate for one building.	Provide a structural safety certificate for building 5.		30
May-24	Contracts and Human Resources	Termination	The calculation for the payment of the annual salary supplement or bonus upon termination is does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for bonus upon termination.		8

May-24	Contracts and Human Resources	Termination	The calculation for the payment of the unused annual paid leave upon termination does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for unused annual leave upon termination.		8
May-24	Contracts and Human Resources	Termination	The calculation of the payment notice upon termination does not include the payment for the weekly rest day.	Include the payment for the weekly rest day in the calculation of average earnings for notice period upon termination.		8
May-24	Contracts and Human Resources	Employment Contracts	The internal work rules does not specify the hours and location for the payment of the worker's salary.	Modify the internal work rules and specify the days of work, the hours and location for the payment of the worker's salary,		30
May-24	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST).	Review and update the apprentice contract as required by law. Request approval from MAST.		30
May-24	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.		45
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA.	Collect and forward workers' contributions to OFATMA.		45
May-24	Compensation	Social Security and Other Benefits	ONA contributions are based on the minimum salary.	Include the weekly rest day payment in the calculation of the basic salary. Then forward employer contribution to ONA on time.		45
May-24	Compensation	Social Security and Other Benefits	the employer's contribution to OFATMA for maternity and health insurance is based on the minimum salary.	Calculate the employer's contribution to OFATMA on the basic salary and forward the contribution monthly.		45
May-24	Compensation	Social Security and Other Benefits	ONA deductions are based on the minimum salary.	Include the weekly rest day payment in the calculation of the basic salary. Forward ONA contribution on time.		45

May-24	Compensation	Paid Leave	The payment for the legally mandated holidays is made on the minimum salary instead of the average daily earnings.	Include the weekly rest day payment in the calculation of average earnings for the legally mandated holidays.	8
May-24	Compensation	Paid Leave	The employer does not pay workers for the weekly rest day.	Compensate workers for the weekly rest day after 48 hours or 6 days of work per week.	8
May-24	Compensation	Paid Leave	The maternity leave payment is not accurate.	Include weekly rest day payment in the calculation of the average daily earning for maternity leave payment. Ensure that workers receive 12 week of payment as required by law.	45
May-24	Compensation	Paid Leave	Sick leaves payment is not accurate.	Included weekly rest day payment in the calculation of the average daily earnings for sick leaves payment.	45
May-24	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Keep a single accurate attendance system for all workers.	45
May-24	Compensation	Premium Pay	The factory did not pay workers on fix salary 50% above the normal wage when they worked on Saturdays.	Pay workers on fix salary 50% above the normal wage when they worked on Saturdays.	8
May-24	Compensation	Overtime Wages	Overtime work hours performed beyond 6 PM for day shift were paid 50 percent above normal wage instead of 100 percent.	Pay overtime work performed beyond 6 PM 100 percent above normal wage.	8
May-24	Compensation	Overtime Wages	The employer did not pay all workers with 50% percent above the normal rate for overtime worked on weekly rest day.	Register and pay all workers with 50% percent above the normal rate for overtime worked on weekly rest day.	8
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several provisions of the CBA.	Implement all the provisions of the collective agreement.	30

Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign a person, responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals products found in the workplace.	Define who controls the chemical container upon receipt from supplier and control the labeling.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemical product used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemical products.	Improve isolation from the chemical (e.g. separate room for spot cleaning).		
Jun-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all areas where chemical products are used.	Install eye wash facilities where chemicals are used. Include this aspect in the daily and weekly checks.	Weekly checklist and portable wash bottle in all the station that use chemical.	
Jun-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Failure to implement several provisions of the CBA.	Register all employees to OFATMA for work related Accidents, maternity and health insurance. Provide chairs with back rest to all workers and allocate chair for standing workers.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Undercharged, obstructed and missing fire extinguishers in several areas of the workplace.	Install adequate firefighting equipment in the workplace.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Several escape routes were obstructed.	Provide additional space for storing goods.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	The factory has not conducted fire drills every six months in all buildings.	Conduct at least 2 emergency drill per calendar year. Insert the drills in the OSH annual training plan.		
Jun-23	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	Ensure that sources of ignition are properly protected.	Sign are posted in all the area at the factory prohibiting the connection of lamps, electronic equipment, and cellphones.	

Jun-23	Contract and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Send the apprentice contracts to the Ministry of Labor (MAST) for approval.		
Jun-23	Contract and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.	The factory is waiting the response of MAST.	
Jun-23	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Conduct Induction training for workers. Provide Staff training on how to carry out policies and procedures. Display policies and internal regulations in the factory.		
Jun-23	Contract and Human Resources	Employment Contracts	Human Resource management system document were not available at the time of the assessment visit.	Develop a procedure on HR performance indicators. Have in place a monitoring systems.		
Jun-23	Contract and Human Resources	Employment Contracts	The factory recruitment procedure is not adequate.	Develop a recruitment procedure, that includes all the necessary elements.		
Jun-23	Contract and Human Resources	Employment Contracts	The grievance procedure is not adequate.	Include in the procedure communication of changes made and resolution.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Set up a clinic approved by the Authorities or Hire the required medical staff.		
Jun-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less 10 percent of the workforce.	Provide additional training on first aid to workers.		
Jun-23	Occupational Safety and Health	OSH Management Systems	Structural safety certificates are not available for all the buildings.	Request a structural safety certificate from the city council certifying the structure of the buildings meets the safety requirements for an industrial structure.		
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		

Jun-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigate monitors and measures OSH issues.	Investigate monitors and measures OSH issues through: Regular test, survey and inspections.		
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.	The factory has developed and implemented an accident investigation procedure that includes, Root cause analysis, Focus on sustainable solutions.	
Jun-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management and developed in consultation with workers and their representatives.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		
Jun-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Ensure that annual leave payment is calculated on average earnings.	The factory made some changes and annual leave payment is calculated based on worker's average daily earnings.	
Jun-23	Compensation	Paid Leave	Sick leave is not compensated based on the average earnings.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment.		
Jun-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Register the workers to OFATMA maternity and health insurance. Send workers' pay slip to OFATMA for maternity leave payment.		
Jun-23	Working Time	Regular Hours	The factory's working hours for all shifts, are not posted in all the buildings.	Post the factory's working hours for all shifts including break time.	The working hour is included in the compliance weekly checklist.	
Jun-23	Working Time	Regular Hours	Time records is not accurate.	Have an accurate and detailed payroll system.		
Jun-23	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		

Jun-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	Discuss legal requirements with the General Manager. Register with OFATMA for maternity and health insurance.		
Jun-23	Compensation	Social Security and Other Benefits	Employer's contributions to ONA are based on minimum salary.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		
Jun-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	Register with OFATMA for maternity and Health insurance.		
Jun-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
Jun-23	Compensation	Wage Information, Use and Deduction	The time records between the payroll and attendance record did not match.	Have an accurate and detailed payroll system.		
Jun-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets as required by law.		
Jun-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park).	Provide an eating Area that can accommodate all the workers.		
Jun-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		
Jun-23	Occupational Safety and Health	Worker Protection	25 percent of the single-needle machines in one building were missing their finger guards.	Install the finger guards on single-needle machines.	The factory has developed a Weekly inventory by area.	
Jun-23	Occupational Safety and Health	Worker Protection	The emergency light is not working in one of the forklifts.	Develop a preventive maintenance plan. Add this aspect in the daily and weekly check.		

Jun-23	Occupational Safety and Health	Worker Protection	Industrial platform ladder missing one side rail of at least 0.90m as recommended by the labor Code.	Develop a preventive maintenance plan. Add this aspect in the daily and weekly check.		
Jun-23	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		
Jun-23	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		
Jun-23	Occupational Safety and Health	Working Environment	The waste area is not clean and tidy. Workers close to it complained about the smell.	Hire additional cleaners and improve the housekeeping of the workplace		

176 BETTER WORK HAITI – 28TH SYNTHESIS REPORT



Factory: **MGA Haiti S.A.**
 Supplier ID: **28**
 Location: **Port-au-Prince**
 Number of workers: **695**
 Date of registration: **Oct-09**
 Date of last two: **Feb-23**
 Better Work

Feb-24

Advisory and Training Services

16-Oct-24	Bipartite Committee Meeting	Meeting with the PICC committee on root cause analysis exercise. Members drafted an action plan to follow up on the issue discussed.
16-Aug-24	Industry Seminar	Virtual Chemical Management System
26-Apr-24	Advisory services	Meeting with PICC and OSH committee. The purpose of the meeting was to present the finding of last assessment and identify necessary action for remediation. Advisor recommended ideas for strengthening the committee as the members reported not having sufficient time to prepare the meeting.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
7-Mar-24	Advisory services	Meeting with management to: Follow-up on factory actual situation. Follow-up on actual number of workers at the factory. Last ONA payment and payment for OFATMA accident 2023-2024. Review and update the improvement plan. Advise the factory on the incoming question in the new assessment based on the 3*8 law the government put on hold.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment February 2024						
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Develop an adequate hazard/ risk management and control procedure that includes all the necessary elements.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate accident investigation procedure.	Develop an adequate accident investigation procedure.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Develop a system to investigate and monitor OSH issues and record the evidence of regular management review of effectiveness of the management		28
Feb-24	Contracts and Human Resources	Employment Contracts	The factory does not have adequate grievance handling and dispute resolution procedures.	Include the missing elements in the grievance handling and dispute resolution procedures		28

Feb-24	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Record evidence of investigation on HR violation and adjustment made to prevent recurrence.		28
Feb-24	Contracts and Human Resources	Employment Contracts	The HR policies and procedures does not include all the adequate elements.	Include the missing elements in the HR policies and procedures.		28
Feb-24	Working Time	Leave	The security guards had been granted only 8 days of annual leave instead the required 15 days.	Provide 15 consecutives days of annual leave to the security guards are .		5
Feb-24	Working Time	Overtime	The employer did not receive prior authorization from the department of labor to work overtime.	Ensure to receive the authorization notice prior to perform overtime.		5
Feb-24	Working Time	Overtime	Assessors could not verify the security guards' overtime hours because management did not provide their time records.	Keep accurate time records for all employees, including the security guards.		5
Feb-24	Working Time	Regular Hours	The employer did not receive the authorization notice from the department of labor, to work night shift.	Request authorization from the department of labor before working at night.		5
Feb-24	Working Time	Regular Hours	During the assessment visit the employer did not share the time records for the workers.	Provide the time records for the workers for verification.		15
Feb-24	Occupational Safety and Health	Emergency Preparedness	Several aisles were blocked by fabric tables in building 17.	Keep the aisles unobstructed during working hours.		28
Feb-24	Occupational Safety and Health	Health Services and First Aid	Some products in a first aid box in building 10 were not identified .	Identify all items in the first aid boxes.		53
Feb-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire one additional nurse.		73
Feb-24	Occupational Safety and Health	Health Services and First Aid	The workers exposed to work related hazards had not received free health checks twice a year.	Provide free health check twice a year to workers who are exposed to chemical and hazardous materials.		65
Feb-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of functioning toilets for women and men.	Have the adequate numbers of toilets for women and men.		73

Feb-24	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical panels. Batteries in the generator room of building 17 do not have insulation cover.	Ensure that electrical panel remained closed and that the batteries generator are properly insulated.	The panel were closed during the assessment visit.	56
Feb-24	Occupational Safety and Health	Worker Protection	Several machines were missing eye guards, and pulley guards.	Ensure that all the sewing machines have their necessary guards.		73
Feb-24	Occupational Safety and Health	Worker Protection	The employer did not provide proper PPE to all workers	Provide the necessary personal protective equipment to workers.	Management provided the necessary PPE to workers in the fabric warehouse and in the mechanic shop.	28
Feb-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not available in all areas where chemical and hazardous products are used and stored.	Install an eye wash station where chemicals are used and stored.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	The employer has not performed an assessment of occupational safety and health risks in the factory on a regular basis.	Perform an OSH assessment on a regular basis.	OSH assessment is performed regularly.	28
Feb-24	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate, for the buildings.	Provide the structural safety certificate.		28
Feb-24	Occupational Safety and Health	OSH Management Systems	The factory does not send work related accident reports to OFATMA every month as required by the labor code.	Submit the accident report to OFATMA on a monthly basis.	Management submitted the OFATMA accident on a monthly basis.	5
Feb-24	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Calculate the annual leave based on the average daily earning.		37
Feb-24	Contracts and Human Resources	Employment Contracts	The internal rules do not include entry and exit hours, pay locations and times of payment.	Include the missing elements in the internal rules.		28
Feb-24	Contracts and Human Resources	Employment Contracts	The foreign workers' contracts do not include the employer's information as well as the employee's salary.	Include the employer information and the salary in the foreign workers contracts.		28
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to OFATMA for maternity and health insurance is not submitted on a monthly basis.	Pay the OFATMA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of March 2024.	5

Feb-24	Compensation	Social Security and Other Benefits	The employer contribution to ONA is not submitted on a monthly basis. Last payment was ma	Pay the ONA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of May 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The employer contribution to OFATMA for maternity and health insurance is not submitted on a monthly basis.	Pay the OFATMA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of March 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The workers' contribution to ONA is not submitted on a monthly basis.	Pay the ONA contribution on monthly basis within the first 10 working days.	Last payment was made in June for the month of May 2024.	5
Feb-24	Compensation	Social Security and Other Benefits	The bonus payment does not include worker's overtime payment.	Include the overtime payment in the annual salary supplement.		5
Feb-24	Compensation	Social Security and Other Benefits	Management did not provide the monthly salary statements and authorization for installment payments from OFATMA for the fiscal year 2022-2023.	Provide proof of payment for OFATMA work related accident insurance.		37
Feb-24	Compensation	Paid Leave	The annual leave payment is not calculated on worker's average daily earnings.	Calculate the annual leave based on the average daily earning.		37
Feb-24	Compensation	Wage Information, Use and Deduction	Boiler room workers were paid separately and their total overtime hours were not reported in the payroll.	Ensure that the payroll include all the payment that the workers receive.		5
Feb-24	Compensation	Overtime Wages	The employer does not pays 50% above normal wage for overtime worked at night.	Pay the overtime worked at night accurately.		5
Feb-24	Compensation	Overtime Wages	The operators who stayed after the regular hours receive an incentive which is not reported in the payroll.	Pay the overtime hours 50 percent above normal wage.		28
Assessment February 2023						
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances was not available at the time of the assessment visit.	Ensure that documentation is available during the evaluation period.	The factory shares the inventory with the assessor during the advisory visit.	
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace		

Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDSs are not available in local language for all chemicals used in the workplace.	Translate MSDS in the local language and post them where chemical products are used.	Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory does not have appropriate spot cleaning area.	The factory needs to have an isolated area for the spot cleaning.		
Feb-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is not operational in several section in the factory.	The factory needs to install eyewash station in all areas where chemical products are used.	The factory has fixed the eye wash issues in building 17. Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	
Feb-23	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were not properly maintained	Provide adequate firefighting equipment and Ensure regular maintenance is done	The factory has fixed the fire extinguisher issues in building 17. Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	
Feb-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas.	Keep all aisles free from obstructions.		
Feb-23	Occupational Safety and Health	Emergency Preparedness	Source of ignition not properly safeguarded.	Ensure that all source of ignition are properly safeguarded.	The factory removed the source of ignition inside the wooden box	
Feb-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedure does not include all the necessary steps. disciplinary processes.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes		
Feb-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedure does not include all the necessary elements.	Review the procedure to include details on the workers' rights to defend themselves prior to termination, and to representation during disciplinary processes		
Feb-23	Contracts and Human Resources	Employment Contracts	The factory does not adequately communicate and implement HR policies and procedures.	Ensure that all the steps are in place in the factory.		
Feb-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR performance review.		
Feb-23	Contracts and Human Resources	Employment Contracts	Foreign worker's contract does not include the employer's information as well as the employee's salary.	Review the foreign workers contract to include all the missing information.		

Feb-23	Occupational Safety and Health	Health Services and First Aid	Newly hired workers do not received the health card within the first 3 month of hiring.	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		
Feb-23	Occupational Safety and Health	Health Services and First Aid	Factory did not provide medical checks twice a year, for workers exposed to chemical and hazardous products.	Medical check up has to be done twice for all the workers exposed chemical and hazardous products.		
Feb-23	Occupational Safety and Health	Health Services and First Aid	Factory did not provide annual medical checks to workers	Proactively work with OFATMA to distribute the health cards and conduct the medical checks as required		
Feb-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical personnel.	Hire additional nurses to comply with the labor code.		
Feb-23	Occupational Safety and Health	Health Services and First Aid	First aid boxes were not readily accessible in some buildings and several products were expired in the clinic.	The factory needs to designate a person to monitor the inventory of the first aid boxes.		
Feb-23	Occupational Safety and Health	OSH Management Systems	The structural safety certificate was not available.	Request a structural safety certificate from the city hall.		
Feb-23	Occupational Safety and Health	OSH Management Systems	The employer has failed to investigate, monitor and measure OHS issues as required.	Ensure that all OSH issues are investigated, monitored and measured accurately.		
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a written accident investigation procedure that includes all the requirements.	Update the accident investigation procedure and include the implementation of changes in order to avoid reoccurrence.		
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure that includes all the requirements.	Update the hazard/risk management and control procedure and include a risk register that drives the implementation of controls.		
Feb-23	Occupational Safety and Health	OSH Management Systems	The factory did not provide any evidence of OSH assessments reports for the last 12 months.	Conduct and keep records of the assessment result on a monthly basis.		
Feb-23	Compensation	Overtime Wages	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments.		

Feb-23	Compensation	Overtime Wages	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments all ordinary overtime.		
Feb-23	Compensation	Paid Leave	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Paid Leave	Inaccurate sick leave payment.	Pay sick leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Calculate the maternity leave payment on worker's average daily earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Paid Leave	Lunch break is not compensate in the payroll.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Premium Pay	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments worked on weekly rest day.		
Feb-23	Compensation	Premium Pay	Inaccurate overtime payment	Ensure that the attendance records is available during the evaluation period for overtime verification payments worked on legally mandated holidays.		
Feb-23	Working Time	Regular Hours	Regular working hours did not meet legal requirements.	Modify the internal work rules and ensure the regular working hours do not exceed 48 hours per week	The June 13 decree suspends the 3*8 law. Now the lunch break is not include in the regular working hours.	
Feb-23	Working Time	Regular Hours	The required break was not provided to pregnant women.	Give the legally required break to all pregnant women.		
Feb-23	Working Time	Regular Hours	Attendance records was not available during the assessment.	Ensure that documentation is available during the evaluation period.		
Feb-23	Compensation	Social Security and Other Benefits	Inaccurate payment to OFATMA for work-related accident insurance.	Complete the payment for OFATMA work related accident for the fiscal year 2022-2023.	The factory completed the payment for work related accident.	

Feb-23	Compensation	Social Security and Other Benefits	Inaccurate annual leave payment.	Pay annual leave based on average earnings.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate	Calculate employers' contributions for OFATMA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for OFATMA payment is inaccurate	Calculate employers' contributions for OFATMA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Social Security and Other Benefits	The calculation of employer's contribution for ONA payment is inaccurate	Calculate employers' contributions for ONA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Social Security and Other Benefits	The calculation of workers' contribution for ONA payment is inaccurate	Calculate Workers' contributions for ONA on the basic salary.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip to OFATMA for sick leave and maternity leave payment.	Send workers pay slip to OFATMA for sick leave and maternity leave payment.		
Feb-23	Contracts and Human Resources	Termination	The employer did not provide the list of terminated workers for the past 12 months.	Ensure that documentation is available during the evaluation period.		
Feb-23	Contracts and Human Resources	Termination	The calculation of the payment for the applicable notice period does not include the lunch break payment.	Pay the applicable notice period and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Contracts and Human Resources	Termination	The calculation for unused paid annual leave upon termination does not include the lunch break payment.	Pay the unused paid annual leave upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Contracts and Human Resources	Termination	The calculation of the annual salary supplement or bonus upon termination does not include the lunch break payment.	Pay workers their annual salary supplement upon termination and include the lunch break payment in the calculation	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
Feb-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of Toilets.	Increase the number of toilets for men and women.		
Feb-23	Occupational Safety and Health	Welfare Facilities	Soap was not available in men's and women's toilets.	Ensure that soap is available in men toilets during working hours including overtime.		

Feb-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide proper PPE to all workers, including weight lifting belts Gloves, boots and apron		
Feb-23	Occupational Safety and Health	Worker Protection	Sewing machines were missing pulley guards.	Install the proper safety guards on all machines.		
Feb-23	Occupational Safety and Health	Worker Protection	Improper maintenance of electrical system of the factory.	Improve the electrical maintenance and Create a maintenance log		
Feb-23	Occupational Safety and Health	Worker Protection	Assessors observed that standing workers were not provided with ergonomic mats.	Provide standing mats or foot rests to all standing workers.	Factory provided shock absorbing mats to all standing workers, and Building 11 is no longer used as a sewing floor, now they use it as a warehouse.	
Feb-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
Feb-23	Occupational Safety and Health	Working Environment	light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
Feb-23	Occupational Safety and Health	Working Environment	The aisles in the cutting section were not clean and tidy.	Ensure that aisles are clean and tidy in the cutting section.	The factory keeps the aisles in the cutting section clean and tidy by placing garbage bins in this section.	



Factory: **Pacific Sports Haiti S.A**
 Supplier ID: **31**
 Location: **Port-au-Prince**
 Number of workers: **526**
 Date of registration: **Oct-09**
 Date of last two assessments: **Aug-23** **Nov-24**
 Better Work assessment:

Advisory and Training Services

22-Nov-24	Advisory meeting	To discuss the factory situation, follow-up on Social security payment and the process of renew the bipartite committee with management and union
23-Aug-24	Advisory meeting	Meeting with management to follow up on the process of renew the bipartite committee with management and union. Conduct factory tour with compliance manager. Document review on social security payment.
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
2-Jul-24	Industry Seminar	Virtual Supervisory Skills
20-Jun-24	Advisory meeting	Meeting with management to initiate the process of renew the bipartite committee with management and union. Follow-up on actual number of the factory, last ONA payment and payment for OFATMA accident 2023-2024.
11-Apr-24	Advisory meeting	Meeting with management to follow up on the process of renew the bipartite committee with management and union. Follow-up on actual number of workers at the factory, last ONA payment and payment for OFATMA accident 2023-2024.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
19-Mar-24	Advisory meeting	To follow-up on factory actual situation, Social Security status and new assessment questions.
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
1-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment Novembre 2024						
Nov-24	Occupational Safety and Health	OSH Management Systems	Management did not show any evidence that the employer investigates, monitors and measures OSH issues.	Ensure that all OSH issues are investigated, monitored and measured accurately, through: Regular test, survey and inspections Logging and analysis of violations of procedures.		2

Nov-24	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedure does not include all the necessary elements.	Review the procedure and include the communication of changes made and/or resolution as appropriate and does not ensure the anonymity and non-retaliation.		17
Nov-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures the procedure does not include-	Develop a disciplinary and termination procedures that includes all the step such as: Timeframes for warnings and payments-Legal notice periods and termination payments		17
Nov-24	Contracts and Human Resources	Employment Contracts	Management does not investigate violations of HR policies and procedures.	Develop a procedure on HR performance indicators and monitoring systems. Identify weaknesses and make necessary adjustments		17
Nov-24	Occupational Safety and Health	Emergency Preparedness	Less than 10% of the workforce was trained in fire fighting.	Train at least 10% of the workforce on the use of fire-fighting equipment.		2
Nov-24	Occupational Safety and Health	Emergency Preparedness	Fire drills were not conducted every 6 months as recommended by Better Work.	Conduct fire drill at least twice a year.		2
Nov-24	Occupational Safety and Health	Emergency Preparedness	Several aisles were obstructed by a pallets of fabrics.	Keep routes unobstructed during working hours.		2
Nov-24	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the current layout of the factory. In addition, the assembly point was not identified outside of the factory.	Update and post an evacuation plans for all buildings, and ensure that assembly point are clearly identified.		2
Nov-24	Occupational Safety and Health	Health Services and First Aid	Less than 10% of the workforce was trained in first aid.	Train at least 10 percent of the workforce in first aid.		2
Nov-24	Occupational Safety and Health	Worker Protection	Storage rack in the trim warehouse is not protected to prevent storage boxes from falling	Provide appropriate storage rack in buildings, to prevent the falling of the storage boxes.		2
Nov-24	Occupational Safety and Health	OSH Management Systems	The factory does not communicates and implements OSH policies and procedures.	Ensure that the factory communicates and implements OSH policies and procedures.		2

Nov-24	Occupational Safety and Health	OSH Management Systems	There is no evidence that the factory conducted a risk assessment.	Create a hazard/risk management and control procedure that includes that all the requirements.		2
Nov-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a OSH committee in place.	Ensure the factory has a OSH committee in place, to conduct the joint meetings to address OSH issues.		2
Nov-24	Occupational Safety and Health	OSH Management Systems	Management did not provide any structural safety certificate for the building.	Request a structural safety certificate from the city hall.		2
Nov-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a bipartite committee in place.	Ensure the factory has a bipartite committee in place, to conduct the joint meetings to address non-compliances issues.		2
Nov-24	Compensation	Social Security and Other Benefits	The factory is not registered to OFATMA for maternity and health insurance.	Register to OFATMA for maternity and health insurance and forward workers' contribution.		91
Nov-24	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave.	Registered the factory with OFATMA for maternity and health insurance and workers will be entitle to 12 weeks of payment.		17
Assessment August 2023						
Aug-23	Contracts and Human Resources	Employment Contracts	The grievance handling and dispute resolution procedures does not include all the necessary elements.	Update and adjust grievance handling and dispute resolution procedures.		
Aug-23	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedures, that includes all the steps.	Update and adjust disciplinary and termination procedures.		
Aug-23	Contracts and Human Resources	Employment Contracts	The factory does not fully investigates performance of HR.	Ensure that all parameters are reviewed during the HR review.		
Aug-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Provide adequate firefighting equipment and ensure regular maintenance is done.		

Aug-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous substances are not properly labelled.	Label all chemicals and hazardous substances used in the workplace.		
Aug-23	Occupational Safety and Health	Working Environment	Light levels were inappropriate in some working sections.	Ensure the lighting is adequate and adapted to worker's needs.		
Aug-23	Occupational Safety and Health	Working Environment	Workplace temperatures levels are unacceptable.	Monitor the temperature level and maintain it under 30 C inside the workplace.		
Aug-23	Occupational Safety and Health	Worker Protection	The factory did not provide appropriate PPE to all workers.	Provide appropriate PPE where it is needed for all workers.		
Aug-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inventory of chemicals and hazardous substances is not updated.	Update inventory of chemicals and hazardous substances in the workplace.		
Aug-23	Contracts and Human Resources	Employment Contracts	The contract for administrative staff and security personnel does not comply with the internal work rules.	Update the contract of all employees in the factory to be in compliance with the internal work rules.		
Aug-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance.	Register to OFATMA for maternity and health insurance and forward workers' contribution.		
Aug-23	Compensation	Social Security and Other Benefits	The employer pays 3 percent of workers' salary to OFATMA for work-related accident insurance and has completed the payment for the fiscal 2022-2023 in three installments. However, the management did not give any proof of agreement with OFATMA for a payment by installments.			
Aug-23	Compensation	Paid Leave	Inaccurate payment for maternity leave.	Registered the factory with OFATMA for maternity and health insurance and workers will be entitle to 12 weeks of payment.		



Factory: **Palm Apparel S.A.**
 Supplier ID: **175**
 Location: **Port-au-Prince**
 Number of workers: **949**
 Date of registration: **Jan-11**
 Date of last two Better Work assessments: **Mar-23** **Jul-24**

Advisory and Training Services

Note: The factory had limited operations in March and June. The factory was in temporary suspension in April, May, September, October and November.

16-Aug-24	Industry Seminar	Virtual Chemical Management System
7-Jun-24	Advisory meeting	Virtual meeting with the OSH committee about the factory's current operation. Meeting with worker's representative on issues at the factory level and sectorial level. Meeting with the Human Resource team to follow up on Social security contributions and documentation reviews.
7-Mar-24	Advisory meeting	Meeting with the compliance officer to conduct a virtual OSH tour with a focus on emergency preparedness. Review of documents with HR staff to provide recommendation on internal policies and procedures in place.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment July 2024						
Jul-24	Occupational Safety and Health	OSH Management Systems	The hazard/risk management and control procedure is not accurate.	Review and update the hazard/risk management and control procedure.		34
Jul-24	Contracts and Human Resources	Employment Contracts	The employer does not investigate violations of HR policies and procedures.	Investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence.		6
Jul-24	Working Time	Overtime	The factory did not received the notice of approval for overtime, from the Department of Labor.	Request authorization and wait for the approval from MAST before scheduling overtime.		6
Jul-24	Working Time	Overtime	Assessors could not verify if overtime hours worked exceeded 80 hours in one trimester, because the punch system is not available.	Install an accurate punch systems.		6
Jul-24	Working Time	Overtime	The factory had no prior authorization from MAST before working on Sunday.	Request authorization and wait for the approval from MAST before working on Sunday.		6

Jul-24	Working Time	Regular Hours	The punch system was not available; the attendance was done manually by supervisors.	Develop a manual attendance records where employees can sign and acknowledge the working hours.		21
Jul-24	Occupational Safety and Health	Emergency Preparedness	The sewing floor needs to be repainted and the evacuation map needs to be updated.	Update the evacuation plan and remark the evacuation routes.		21
Jul-24	Occupational Safety and Health	Emergency Preparedness	The assessors did not find any fire extinguisher close to the chemical room. In addition, assessors observed that the one in the generator room was obstructed.	Install a fire extinguisher where chemicals are stored.		6
Jul-24	Occupational Safety and Health	Health Services and First Aid	The first aid boxes are missing several items.	Develop an inventory for first aid boxes.		6
Jul-24	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional nurses.		70
Jul-24	Occupational Safety and Health	Health Services and First Aid	The annual medical checks are not in line with the legal requirements.	Pay the CDS and send a request to OFATMA for the annual medical checks.		70
Jul-24	Occupational Safety and Health	Health Services and First Aid	The medical checks done within the first three months of employment are not in line with the legal requirements.	Pay the CDS and send a request to OFATMA for the medical checks.		70
Jul-24	Occupational Safety and Health	Welfare Facilities	Inconsistent availability of soap in the toilets.	keep a stock of soap and paper and assign a person for the distribution.		6
Jul-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of Toilets according to the workforce.		86
Jul-24	Occupational Safety and Health	Working Environment	Slippery due to water spillage from the roof when it is raining.	Fix the roof and develop a building maintenance plan.		6
Jul-24	Occupational Safety and Health	Worker Protection	Electrical box is missing the hazard sign.	Identify electrical panels and post hazard signs.		6
Jul-24	Occupational Safety and Health	Worker Protection	The battery terminals on the generator are not properly protected.	Install insulation covers to the battery terminals.		21

Jul-24	Occupational Safety and Health	Worker Protection	The factory did not provide earplugs for workers in the generator room.	Conduct a risk assessment and distribute the PPEs to the necessary sections.		50
Jul-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Train those responsible for MSDS on chemicals management.		34
Jul-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical containers are not properly labelled.	Train those responsible for identifying containers on chemical management.		34
Jul-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory is not accurate.	Include the different locations in the chemical inventory report.		6
Jul-24	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate with the assessors.	Contract a firm to assess the structure of the buildings.		34
Jul-24	Compensation	Social Security and Other Benefits	OFATMA contributions are not calculated on the basic salary.	Include Sunday worked payment and production incentives in the calculation of OFATMA.		88
Jul-24	Compensation	Social Security and Other Benefits	ONA contributions are not calculated on the basic salary.	Include Sunday worked payment and production incentives in the calculation of ONA for employer contribution.		158
Jul-24	Compensation	Social Security and Other Benefits	OFATMA deductions are not calculated on the basic salary.	Include Sunday worked payment and production incentives in the calculation of OFATMA.		88
Jul-24	Compensation	Social Security and Other Benefits	ONA deduction are not based on the basic salary.	Include Sunday worked payment and production incentives in the calculation of ONA.		158
Assessment March 2023						
Mar-23	Child Labor	Documentation and Protection of Young Workers	The factory's management did not confirmed that all of its workers are hired on the basis of a government issued CIN Card (National Identification Card).	Keep copies of either a birth certificate or a national photo ID in each worker's file.	Copies of either a birth certificate or a national photo ID are available in each worker's file.	15
Mar-23	Compensation	Paid Leave	The Calculation of the payment for annual leave does not include the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28

Mar-23	Compensation	Paid Leave	Workers are entitled to full payment of sick leave. However, It does not include the lunch break payment in the calculation of the average salary.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Paid Leave	Workers are entitled to full payment of maternity leave. However, It does not include the lunch break payment in the calculation of the average salary.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Paid Leave	Workers are entitled to 1 hour daily break that is not compensated.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Social Security and Other Benefits	At the time of the assessment, the factory's management did not share the salary statement sent to OFATMA for work related accident for fiscal year 2022-2023.	Keep records of the salary statement sent to OFATMA. Pay OFATMA work related accident insurance on time.		72
Mar-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment an annual salary supplement or boni does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contribution to ONA. However, ONA deduction are based on the minimum salary and last payment was made in June 2022.	Calculate ONA on the basic salary and Forward worker's contribution to ONA within the first 10 business days of the next month for the previous month.		152
Mar-23	Compensation	Social Security and Other Benefits	The factory submits the employer's portion of worker's salary to OFATMA for maternity and health insurance. However, OFATMA contributions are based on the minimum salary.	Forward worker's and employer's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.		82
Mar-23	Compensation	Social Security and Other Benefits	The factory submits employer's contributions to ONA. However, ONA contributions are based on the minimum salary	Calculate ONA on the Basic salary. Then, forward employer's contribution to ONA within the first 10 business days of the next month for the previous month.		152
Mar-23	Compensation	Social Security and Other Benefits	The factory collects and forward workers' contributions to OFATMA for maternity and health insurance. However, OFATMA deductions are based on the minimum salary.	Forward worker's and employer's contribution to OFATMA maternity and health insurance within the first 10 business days of the next month for the previous month.		82

Mar-23	Compensation	Termination	The employer provides the payment for the applicable notice period. However, the calculation of the average earning does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Compensation	Termination	The employers pays workers their annual salary supplement upon termination. However, the calculation of the average daily salary does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required..	28
Mar-23	Occupational Safety and Health	OSH Management Systems	During the assessment visit, the factory did not share any structural safety certificate delivered by the city with the assessors.	Request a structural safety inspection from a construction firm or the city council.	The factory had asked the construction firm to provide the necessary document. The structural safety certificate is available.	28
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals found in the workspace.	Define who control the chemical container on receipt from supplier and control the label.	An internal verification was carried out in all sections to ensure that all containers had their labels.	28
Mar-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Management did not isolate the use of chemical substances in the spot cleaning section.	The factory needs to ensure that the use of chemicals are isolated from the floor.	The spot cleaning is totally isolated from the floor and contains a ventilation system.	28
Mar-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.	The masks have been provided to workers.	50
Mar-23	Occupational Safety and Health	Worker Protection	During the factory tour, assessors notice that the battery terminals in the generator are not properly protected.	The factory needs to ensure that the batteries terminals are insulated.	Every precaution has been taken to ensure that insulators are fitted over the battery terminals.	15
Mar-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets to comply with the law.		80
Mar-23	Occupational Safety and Health	Health Services and First Aid	Health checks within the first three months of employment are not in line with the legal requirements.	Pay the health cards. Coordinate with OFATMA to do the health checks		64

Mar-23	Occupational Safety and Health	Health Services and First Aid	Annual health checks are not in line with the legal requirements	Pay the health cards. Coordinate with OFATMA to do the health checks		64
Mar-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff for the current workforce.		64
Mar-23	Occupational Safety and Health	Health Services and First Aid	Document review reveals that the factory has trained less than 10% of the workforce in first-aid.	Train at least than 10% of the workforce in first-aid.		15
Mar-23	Occupational Safety and Health	Emergency Preparedness	Emergency exit and escape routes were obstructed.	The factory needs to assign responsibilities to someone to ensure that the emergency exits are unobstructed during work hours. The floor needs to be repainted.	The floor has been repainted. Arrows to identify the evacuation routes are in place and there are no cracks on the floor.	
Mar-23	Working Time	Regular Hours	The regular working hours are from 7 AM to 4:00 PM (including 60 minutes of daily break), 6 days per week, which is equivalent to 9 working hours per day and 54 hours per week.	Ensure that the regular hour do not exceed 48 h per week.	The June 13 decree suspends the 3*8 law. The lunch break is no longer part of the regular working hours.	28
Mar-23	Working Time	Regular Hours	The attendance record does not reflect the actual time worked.	Have an accurate attendance recording system.		15



Factory: S&H Global 1-6
 Supplier ID: 421
 Location: Arrondissement du Trou du Nord
 Number of workers: 3,789
 Date of registration: Jul-12
 Date of last two Better Work assessments: May-24 May-24

Advisory and Training Services

8-Jan-25	Advisory meeting	Meeting with the new compliance manager, compliance officer and HR team to discuss pending issues for the Pr2. Discussion was also on challenges and successes in 2024.
6-Dec-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment and Abuse
26-Nov-24	Advisory meeting	Summary of the advisory visit: The advisory was mainly focus on the review of the IP. The factory wants to clear a NC on their portal related to the training of the 10 percent of the workforce in the use of fire-fighting equipment. Due to the massive layoffs in recent years, more than 85% of the workers trained in firefighting were no longer working at the factory in the list I received from them. The factory must ensure that 10% of the workforce is trained in the use of firefighting equipment by a certified trainer. The factory has approximately 3,368 workers and, to comply with the law, it must train at least 337.
22-Nov-24	Bipartite Committee Meeting	Meeting with middle management. Factory presented a new staff in the compliance team. EA reviewed the IP plan. Meeting with executives union committee members and PICC members to discuss freedom of association. Union workers shared their concerns over some factory 's Hr. and communication issues.
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
4-Nov-24	Training	Emergency Preparedness & Accident Investigation
10-Oct-24	Training	Occupational Safety and Health (OSH)
3-Oct-24	Training	Virtual Occupational Safety and Health
26-Sep-24	Training	Virtual Gender and Prevention of Sexual Harassment (POSH)
18-Sep-24	Industry Seminar	Sectorial Policy Workshop on GBVH
9-Sep-24	Training	Virtual Gender and Prevention of Sexual Harassment (POSH)
27-Aug-24	Advisory meeting	Advisor with top Management with the presence of USDOL. Management explained their concerns regarding the security situation and how it impacts the business.
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
20-Aug-24	Advisory meeting	Advisory visit with workers representation on workers concerns. Review of the Improvement plan
17-Jul-24	Training	Supervisory Skills Training
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
4-Jul-24	Advisory meeting	Advisory meeting with management on the remediation. Advisor reviewed and updated the status of the non compliance point. Advisor provided guidance on the Pr1.
15-May-24	Advisory services	Meeting with HR officer and compliance officer. Advisor made a presentation on the portal for the new OSH officers. Factory informed about the closure of a building and ongoing issues and requests from trade unions. Advisor recommended dialogue with MAST representative for a smooth transition.
2-Apr-24	Industry Seminar	Virtual Supervisory Skills

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Working Time	Overtime	Workers in some department work more than 80 hours of overtime during a trimester.	Ensure that workers don't work more than 80 hours of overtime during a trimester		8

May-24	Working Time	Overtime	The factory did not received a notice of approval from the Department of Labor prior to performing overtime.	Ensure to receive the authorization before performing overtime.	Since The factory submitted a letter to the Department of Labor, requesting the authorization for working on Saturday, we've received the approval by the department of labor as requested.	8
May-24	Occupational Safety and Health	Emergency Preparedness	The total number of workers trained in fire-fighting is less 10 percent of the workforce.	Ensure that 10 percent of the workforce is trained in fire-fighting equipment by a certified trainer.		8
May-24	Occupational Safety and Health	Emergency Preparedness	The factory does not conduct fire drills every 6 months, as recommended by Better Work.	Ensure to conduct one evacuation drill every 6 months for all the premises.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the factory.	Ensure that the aisles remained unobstructed during the working hours.	Management removed the obstruction and informed the team to keep the aisles cleared from obstruction during working hours.	78
May-24	Occupational Safety and Health	Emergency Preparedness	Locked and unidentified exit doors.	Ensure that exit doors are identified and remained open during working hours.	Compliance Officer visited the warehouse building and noticed three (3) exit doors. Two of them are in condition to remain open during working hours and one of them is a well identified no exit door and remain closed during all working hours. In fact, the authorized front and back exit doors are well opened during working hours and easy to access in case of emergency. In the back of cafeteria, the only one door is now well identified as an exit	18
May-24	Occupational Safety and Health	Emergency Preparedness	Evacuation plans are inaccurate and evacuation routes are not properly identified.	Remark the evacuation routes in the chemical room. Update the evacuation plan in module 1, 2, and 4.	Management remarked the evacuation routes in the chemical room and updated the evacuation plan in module 1, 2. The module 4 is now closed.	78
May-24	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Regularly update the inspection tag as each inspection is completed. Ensure the equipment is properly maintained.	During the assessment visit, the identified fire extinguisher were replaced, recharged and properly label and management revoked all obstruction to their access.	37
May-24	Occupational Safety and Health	Emergency Preparedness	The factory's alarm system was non-functional in several sections of the factory.	Ensure that alarm system is working properly in all buildings.	Management fixed the alarms where they were not properly working.	30

May-24	Occupational Safety and Health	Worker Accommodation	No fire extinguishers in the dormitories and outdated evacuation maps	Ensure the fire extinguishers in the dormitory are properly maintained.	The fire extinguishers were installed in all floors of the dormitory.	18
May-24	Occupational Safety and Health	Worker Accommodation	Exposed electrical wires on the 2nd and 3rd floors observed in the dormitory.	Ensure that electrical equipment in the dormitory are properly maintained.	The issue was fixed during the assessment visit.	18
May-24	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce trained in first aid.	Ensure that first aid training are performed by certified trainer.	The Company makes sure that all first aid trainings are performed by authorized professionals.	8
May-24	Occupational Safety and Health	Health Services and First Aid	Expired medicines and missing supplies in first aid boxes.	Ensure that the first aid boxes are regularly checked.	The expired medicines were replaced.	8
May-24	Occupational Safety and Health	Welfare Facilities	Soap is not available in several toilets in several buildings.	Ensure to provide soap in the toilet.	Management provides soap in the toilets on a daily basis. Refill are available upon request from the person in charge.	18
May-24	Occupational Safety and Health	Welfare Facilities	No paper found in the toilet in module 1.	Provide paper in the toilet.	Paper is now provided in all our toilets and the workers no longer complain about that. COs and FCOs have got the situation under Control	18
May-24	Occupational Safety and Health	Working Environment	The temperature levels in all sections exceeded Better Work's recommended maximum of 30°C.	Ensure to maintain the temperature level under 30 degree.	All factories temperature level is now at 30 degrees C.	31
May-24	Occupational Safety and Health	Worker Protection	Improperly labeled circuit breakers and improper maintenance of electrical installations.	Label all circuit breakers. Ensure that the electrical installation in the boiler room remained free from obstruction.	compliance team the equipment that was blocking the access to the electrical panel. All circuit breakers were also labelled	8
May-24	Occupational Safety and Health	Worker Protection	The motor section in the boiler of module 1 & 2 is covered with metal frame and clear plastic.	Ensure that boiler equipment is properly maintained.	Management team ensured that motor cover was made in proper material/	18
May-24	Occupational Safety and Health	Worker Protection	Proper PPE is not provided to all workers.	Provide the earplugs for the workers in the compressor room and the safety bell for the heavy lifting module 1 and warehouse.	Management has provides the earplugs for the workers in the compressor room and the safety bell for the heavy lifting module 1 and warehouse.	99
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash stations in several areas where chemicals are used. Obstructed eye wash station in module 2.	Install an eye wash in the chemical floor and everywhere chemical substances are used.	An eye wash is installed next to the chemical area and another one in the CI warehouse.	105

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS are missing for several hazardous chemicals products.	Have the chemical safety data sheets available for all the chemical substances used and stored in the workplace. Train the factory compliance officers on chemical management.	All chemicals have their safety data sheets available to all users.	31
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage in the back of the cafeteria lacks proper protective equipment.	Ensure that the storage area is equipped with safety data sheets and proper hazard signs.		8
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical products and several chemical products with labels in a foreign language.	Label and translate the label in the local language. Train the factory compliance team in chemical management,	All the chemical products were labelled, Labels have been translated to the local language.	65
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Inaccurate inventory of chemical and hazardous products.	Ensure that the inventory of chemicals is accurate and updated on a regular basis.	The factory updated the inventory with the missing and specify the location.	31
May-24	Compensation	Paid Leave	Assessors found discrepancies in payrolls from February to April 2024, with holidays not paid at the average daily salary.	Pay the holiday based on the average of daily earnings.	The Factory has solved the issue of the payroll of holidays which were not paid on average daily salary to all workers for all modules due to the repairing of the system.	8
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not submit accident reports to OFATMA on a monthly basis.	Submit the accidents reports to OFATMA on a monthly basis.	Fixed, the accidents reports are being sent to OFATMA on a monthly basis. Company will look for any other alternative in case of non-functioning of the regional offices of OFATMA.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemicals and hazardous substances was not accurate and did not include all chemicals used in the workplace.	Keep the inventory of chemical accurate and ensure it includes that all chemicals used in the workplace.	This issue has been fixed. All chemicals are now included in the inventory. The compliance team will maintain close communication with the chemical purchasing team so that new chemicals can be marked off the inventory list as soon as they enter the company.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several chemicals and hazardous substances without labelling indicating the classification, hazards and safety precautions.	Ensure to identify and label all chemical in a local language.	This issue has been resolved, all chemicals are now labelled in a local language. All workers who use and handle chemicals now know how to label chemical containers. Compliance will continue to monitor this situation to prevent this from happening again.	

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Several hazardous chemicals were found without chemical safety data sheets.	Ensure that MSDS are available for all chemicals used and stored in the workplace.	This issue has been fixed, all MSDS are now available for all chemicals used and stored in our workplace. Periodic inspection will be carried out for compliance to ensure this process.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area does not have the proper conditions to prevent unnecessary exposure of workers to chemicals.	Repair the vacuum machine that were not functioning properly in the spot cleaning.	This issue has been fixed, all vacuum machines are now repaired and in good usable condition.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash facility in the stock area of module 4 and pad paint area of module 3.	Install an eye washing facility in the stock area of module 4 and pad paint area of module 3 where chemicals are used.	This issue has been fixed, an eye wash station has been installed for all areas where chemical are using the company.	
May-23	Occupational Safety and Health	Worker Protection	The factory did not provide all the necessary personal protective equipment to workers to perform their duties.	Provide the following personal protective equipment : -Earplugs for workers in the small compressor room module 6 and some workers in pressing section module 3 and 4. - Safety shoes for workers in the boiler room between module 1 and 6. - Safety belt for heavy lifting module 1 and warehouse 1. - Goggles for workers in welding shop outside module 2 and 4. - Helmet for workers working at height in	This issue has been resolved, all corresponding PPEs have been issued to workers based what they need to perform their job. Inspections will be carried out to replace old PPE with new ones when necessary.	
May-23	Occupational Safety and Health	Worker Protection	One pipe with boil water was broken in the boiler between module 3 & 4	Ensure that proper maintenance is done on the boiler.	This problem is fixed, the broken pipe is removed and replaced with a new one. The maintenance department will periodically inspect and maintain the boiler equipment.	
May-23	Occupational Safety and Health	Worker Protection	The electrical installation was not properly maintained.	Ensure that electrical installation is properly maintained.	This problem is fixed, all electrical installations are now properly maintained. inspection will be held to ensure the proper maintenance on the electrical installations.	
May-23	Occupational Safety and Health	Worker Protection	Assessors observed that one electrical box was missing hazard sign.	Post the hazard sign on the electrical box.	Fixed, the hazard sign has been posted, compliance team and maintenance will periodically conduct inspection to avoid being in non-compliance	
May-23	Occupational Safety and Health	Working Environment	The workplace temperature levels exceeded 30 C in all sections.	Maintain the temperature in the workplace to a maximum of 30 C.	This problem was fixed, maintenance department will keep checking the air cooling system so that the temperature can be stable a of 30 C.	

May-23	Occupational Safety and Health	Working Environment	The noise levels are inadequate in the quality section 93 db.	Maintain the noise level under 90 db.		
May-23	Occupational Safety and Health	Welfare Facilities	Soap and paper were not available in several toilets.	Provide soap and toilet papers in the toilets.	This problem has been resolved, the company has installed new paper dispensers and the quantity delivered daily has also been increased. Likewise for liquid soap.	
May-23	Occupational Safety and Health	Health Services and First Aid	Three first aids boxes in the dormitories are missing items.	Ensure that first aid boxes have all necessary items.	This problem has been corrected during the audit, FCOs and nurses will periodically inspect the first aid kit so that the medicine can be always available.	
May-23	Occupational Safety and Health	Worker Accommodation	Exposed electrical/internet wires on all floors.	Ensure that the electrical wire was properly safeguarded.	This issue was fixed during the audit, all internet and electrical cables are now well covered and the entire system is regularly maintained. The compliance team department will periodically inspect the facilities to maintain the safety of the panels.	
May-23	Occupational Safety and Health	Worker Accommodation	Improper maintenance of fire extinguishers in the dormitories.	Ensure that the fire extinguishers in the dormitories are properly maintained.	This problem has been fixed, all fire extinguishers and all fire equipment have been replaced and regularly checked. Logs are maintain for all activities. The compliance team will continue to monitor this to ensure the safety of all dormitories.	
May-23	Occupational Safety and Health	Emergency Preparedness	No smoke detector installed in module 8 and the packing area of module 6.	Install smoke detector where needed.	This problem has been corrected. Multiple smoke detectors have been installed in the appropriate areas of Module 8 and the Module 6 packing area. The Compliance Team has verified all areas requiring smoke detectors to be installed to prevent this issue from occurring.	
May-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers in the factories.	Ensure that fire fighting equipment are maintained in a regular basis and checked everyday.	This problem has been corrected. In all factories, the compliance team insists that fire extinguishers are checked twice a day rather than once a week.	

May-23	Occupational Safety and Health	Emergency Preparedness	The stock area of module 4 needs to be remarked; the evacuation plans need to be updated and replaced in various areas.	Ensure that stock area of module 4 is remarked and all aisles remained obstructed. Ensure that all evacuation are accurate.	This issue has been resolved. The floor was re-marked, and the maintenance department will continue to review it. Any changes will be re-marked immediately according to the plant layout.	
May-23	Occupational Safety and Health	Emergency Preparedness	The floor of module 8 did not have any door identified as an exit.	Ensure that exit doors are properly identified.	This issue has been corrected. All exit doors have been clearly identified with the " EXIT " sign. Compliance will check all exit doors in all factories to ensure that they have the " EXIT " sign.	
May-23	Occupational Safety and Health	Emergency Preparedness	The aisles in the packing section of module 2, 3 and the warehouse were obstructed.	Ensure that the aisles in the packing section remained unobstructed in packing section of module 2,3.	This problem has been corrected. All aisles have been cleared of obstructions. The compliance team will conduct new training sessions on the importance of keeping evacuation routes clear.	
May-23	Occupational Safety and Health	OSH Management Systems	The management has not posted names of OSH committee members.	Post the names of OSH committee members.	Fixed, all the names with picture of the OSH committee members are posted on all the floors.	
May-23	Occupational Safety and Health	OSH Management Systems	The emergency preparedness procedure does not include all the necessary elements.	Ensure that the emergency preparedness procedure include: Evacuating employees to a designated assembly location, and - Accounting for all employees after an evacuation.	The procedures is in place and this content all mentioned elements. A copy of this will be sent to Better Work so that this issue can be marked as corrected.	
May-23	Occupational Safety and Health	OSH Management Systems	The OSH policy does not include all the necessary elements.	Ensure that the OSH policy includes measurable objectives and improvements targets and was not developed through consultation with workers representatives.	Compliance is working on developing a procedure which will include all missing parts.	



Factory: **Sewing International S.A.**
 Supplier ID: **33**
 Location: **Port-au-Prince**
 Number of workers: **1,480**
 Date of registration: **Oct-09**
 Date of last two Better Work assessments: **Sep-23** and **Aug-24**

Advisory and Training Services

26-Nov-24	Advisory meeting	Meeting the Compliance team and HR to review the last assessment report and session on Better work portal.
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
11-Apr-24	Advisory services	Session on HR management systems and training monitoring plan. Review and validate pending issues on the improvement plan.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
27-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Supervisory
25-Jan-24	Advisory meeting	Virtual meeting to develop the training plan, session on OSH and HR performance Indicators. Review the last assessment findings to identified the root causes.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment August 2024						
Aug-24	Occupational Safety and Health	OSH Management Systems	The OSH policy was not developed through consultation with workers representatives does not include all the necessary elements.	Develop the OSH policy in consultation with workers and Include: A clear commitment to continued improvement aimed at elimination of work related injury and illness. Measurable objectives and improvements targets.		37
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes:- A systematic approach to identifying hazards.		37
Aug-24	Occupational Safety and Health	OSH Management Systems	The factory does not have a proper accident investigation procedure.	Develop an accident investigation procedure that includes: Root cause analysis and Focus on sustainable solutions.		37
Aug-24	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of:- regular review of OSH management systems.	Perform regular review of effectiveness of management system including performance on measurable objectives and targets. Ensure that accident investigations are followed by an actual change in procedures.		37
Aug-24	Contracts and Human Resources	Employment Contracts	The factory has grievance handling and dispute resolution procedures does not include all the necessary elements.	Review the procedure and include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.		37
Aug-24	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures do not include all the necessary elements.	Include the following steps in the procedure:- The right to representation during disciplinary processes;- Legal notice periods and termination payments.		37

Aug-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST before working on Sunday.	Request authorization. to work on Sunday and Overtime.		5
Aug-24	Working Time	Overtime	The assessors were unable to verify whether overtime exceeded 80 hours in one trimester due to inaccuracies in the punch system.	Keep an accurate punch system		5
Aug-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST to perform overtime.	Request prior authorization from MAST to perform overtime.		5
Aug-24	Working Time	Regular Hours	Inaccurate punch system. Factory does not have a reliable attendance system for the temporary workers.	Have an accurate punch system for all categories of workers.		5
Aug-24	Working Time	Regular Hours	The working hours are not posted on the floor.	Post a document that display the working hour.	Management has posted the document in all building.	5
Aug-24	Occupational Safety and Health	Emergency Preparedness	Several aisles were obstructed by boxes and sewing tables in almost all the buildings.	The management and the health and safety officer plan to do a session training for the employees.		5
Aug-24	Occupational Safety and Health	Emergency Preparedness	The assessors notice that one fire extinguisher in building 5 did not have sufficient pressure .	Conduct the inspection of fire extinguishers on a regular basis.	Management plan to conduct monthly inspection.	5
Aug-24	Occupational Safety and Health	Health Services and First Aid	Expired medicines found in first aid boxes.	Develop a regulation on the medicines that are used in the workplace.	We are going to develop and share a procedure and we will do a weekly inventory.	
Aug-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Hire additional medical staff.		121
Aug-24	Occupational Safety and Health	Health Services and First Aid	Annual medical checks are not in line with the legal requirements.	Pay the CDS and ensure that workers received free medical checks, based on the requirements of the labor code.		5
Aug-24	Occupational Safety and Health	Health Services and First Aid	The workers exposed to work related hazards received free medical checks. However, they are not in line with the legal requirements.	Pay the CDS and ensure that workers received free medical checks, based on the requirements of the labor code.		5
Aug-24	Occupational Safety and Health	Health Services and First Aid	Medical checks are provide to workers within the first 3 months of hiring. However, but they are not in line with the legal requirements.	Pay the CDS and ensure that workers received free medical checks, based on the requirements of the labor code.		5
Aug-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets for men and women.	Increase the number of toilets.		131
Aug-24	Occupational Safety and Health	Working Environment	The that spot cleaning area is very cluttered and poorly arranged.	Develop a housekeeping plan.	A daily supervision on the housekeeping will be done by the Health and safety team.	5
Aug-24	Occupational Safety and Health	Working Environment	The lux level is below Better Work recommended limit.	Take action to increase the lux level in the workplace such as installing LED light.		14

Aug-24	Occupational Safety and Health	Working Environment	Temperature level exceed Better Work recommended limit of 30 C.	Take action to reduce the temperature such as opening in the roof, water curtain, additional fans, or cooling systems.		115
Aug-24	Occupational Safety and Health	Worker Protection	During the factory tour, assessors noticed that the battery terminals in the generator are not properly protected.	Install insulation cover on the battery terminals.	Management plan to have a monthly meeting with the maintenance team.	5
Aug-24	Occupational Safety and Health	Worker Protection	10 percent of the sewing machine missing eye guards.	Develop a maintenance plan		5
Aug-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash station is obstructed by boxes in one building.	Keep the workplace clean and unobstructed during working hours.	A daily supervision on the housekeeping will be done by the health and safety team.	5
Aug-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No chemical safety data sheets for the coolant stored in the generator room.	Keep MSDS for all products used in the workplace and provide training to workers.	Management has developed a training plan..	5
Aug-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemical and hazardous products found inappropriately stored in the generator room.	Define an appropriate place to stored chemicals.		5
Aug-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Improperly labeled chemical and hazardous products found in the workplace.	Define who control the chemical container on receipt from supplier and control the label.		37
Aug-24	Occupational Safety and Health	OSH Management Systems	The employer was not able to provide the required structural safety certificate.	Request a structural safety certificate from the city council or a certified engineering firm to validate the safety of the building..		13
Aug-24	Compensation	Social Security and Other Benefits	The employer did not forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.	Forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.		53
Aug-24	Compensation	Paid Leave	The weekly rest day payment is not calculated based on the average daily earnings.	Discuss legal requirements with the General Manager and calculate the weekly rest day payment based on worker's average daily earnings.		5
Aug-24	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Discuss legal requirements with the General Manager and calculate the annual leave payment based on worker's average daily earnings.		13
Aug-24	Compensation	Wage Information, Use and Deduction	The current punch system used by the company is unreliable, leading to inaccurate payroll records.	Maintain an accurate time records for all employees.		5
Assessment September 2023						
Sep-23	Occupational Safety and Health	OSH Management Systems	The OSH policy did not establish measurable objectives and improvement targets and was not developed in consultation with workers and their representatives.	Develop a policy in consultation with worker representatives. Establish measurable objectives and periodically monitor and review the policy.		

Sep-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes:- A systematic approach to identifying hazards.		
Sep-23	Occupational Safety and Health	OSH Management Systems	The factory does not have a proper accident investigation procedure.	Develop an accident investigation procedure that includes: Root cause analysis and Focus on sustainable solutions.		
Sep-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of: Regular management review of performance on measurable objectives and targets.	Review the procedure to include performance on measurable objectives and targets.		
Sep-23	Contracts and Human Resources	Employment Contracts	The grievance procedure does not include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.	Review the procedure and include clear options for submitting grievances and disputes that ensure anonymity and non-retaliation.		
Sep-23	Contracts and Human Resources	Employment Contracts	The disciplinary procedures do not include: The right to representation during disciplinary processes and Legal notice periods and termination payments.	Include the following steps in the procedure:- The right to representation during disciplinary processes;- Legal notice periods and termination payments;		
Sep-23	Occupational Safety and Health	Emergency Preparedness	Several evacuation routes were obstructed by boxes and sewing tables.	Develop a procedure when conducting general inventory. Ensure that aisles remain unobstructed.	The compliance officer and the health and safety auxiliaries are in charge of the daily weekly checks.	
Sep-23	Occupational Safety and Health	Emergency Preparedness	During the assessment visit, assessors observed that there were no smoke detector in the compressor room.	Identify area where combustible materials are stored.	Area where combustible materials are stored have been identified.	
Sep-23	Occupational Safety and Health	Health Services and First Aid	Insufficient medical staff.	Hire additional medical staff.		
Sep-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	- Increase the number of toilets		
Sep-23	Occupational Safety and Health	Working Environment	The floor is neither clean nor tidy, and there is a water leak from the toilet.	Develop a preventive maintenance plan.	The auxiliary of health and safety is in charge to conduct some regular inspection.	
Sep-23	Occupational Safety and Health	Working Environment	The lux level is below Better Work recommended limit.	Take action to increase the lux level in the workplace such as installing LED light.		
Sep-23	Occupational Safety and Health	Working Environment	Temperature level exceed Better Work recommended limit of 30 C in building 1,2,3,4.	Take action to reduce the temperature such as opening in the roof, water curtain, additional fans, or cooling systems.		
Sep-23	Occupational Safety and Health	Worker Protection	Several chairs were in very poor condition. Several were missing their back rests.	Provide chairs in good conditions in all sectionsDevelop a monitoring plan	The chairs have been replaced by new ones and the factory has developed a monitoring plan.	

Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During the evaluation visit, the assessors noticed that some eye wash stations were missing their water bottle.	Provide eye wash bottles and cleansing materials	Eye wash bottles and cleaning materials have been provided to workers. The compliance officer and the auxiliaries of health and safety will conduct regular checks.	
Sep-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During the evaluation visit, assessors noticed that a tank of diesel was not properly identified.	Define who control the chemical container on receipt from supplier and control the label.	the compliance officer is in charge of the labelling and the mechanic team has the responsibility to pour them. All the containers are labelled.	
Sep-23	Occupational Safety and Health	OSH Management Systems	The employer was not able to provide the required structural safety certificate.	Request a structural safety certificate from the city council or a certified engineering firm to validate the safety of the building..		
Sep-23	Contracts and Human Resources	Termination	The employer compensates workers for unused paid annual leave upon termination. However, the calculation is not based on the average of daily earnings.	Discuss legal requirement with the General Manager. Ensure the calculation for unused paid annual leave upon termination is based on the average daily earnings.		
Sep-23	Compensation	Social Security and Other Benefits	The factory did not share any proof that last workers' pay slip was sent to OFATMA for sick leave and maternity leave payment.	Keep records of workers' pay slip sent to OFATMA for sick leave and maternity leave payment.	Workers' pay slip are sent to OFATMA on a regular basis.	
Sep-23	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to OFATMA. However, the payment were made late consistently.	Forward workers' contribution to OFATMA on time as required by law. Contributions to OFATMA should be submitted within the first 10 working days of the subsequent month.		
Sep-23	Compensation	Social Security and Other Benefits	The employer consistently paid the required employers' contribution to ONA late.	Forward employers' contribution to ONA on time as required by law. Contributions to ONA should be submitted within the first 10 working days of the subsequent month.		
Sep-23	Compensation	Social Security and Other Benefits	The employer pays employers' contribution to OFATMA. However, the payment were made late consistently.	Forward employers' contribution to OFATMA on time as required by law. Contributions to OFATMA should be submitted within the first 10 working days of the subsequent month.		
Sep-23	Compensation	Social Security and Other Benefits	The employer forwards the workers' contribution to ONA consistently late.	Forward workers' contribution to ONA on time as required by law. Contributions to ONA should be submitted within the first 10 working days of the subsequent month.		
Sep-23	Compensation	Social Security and Other Benefits	The employer did not forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.	Forward 3 percent of workers 'salary to OFATMA for work-related accident insurance on time.		

Sep-23	Compensation	Paid Leave	The annual leave payment is not calculated based on worker's average daily earnings.	Discuss legal requirements with the General Manager and calculate the annual leave payment based on worker's average daily earnings.		
Sep-23	Compensation	Overtime Wages	A review of the payroll showed that the overtime hours were not registered for the supervisors and the non-production workers such as mechanics and administrative staff.	Pay overtime hours to all workers as required by law.	Overtime hours are paid to all workers as required by law.	
Sep-23	Compensation	Overtime Wages	A review of the payroll showed that the overtime hours were not registered for the supervisors and the non-production workers such as mechanics and administrative staff.	Pay overtime hours to all workers as required by law.	Overtime hours are paid to all workers as required by law.	



Factory: **Superior Sourcing**
 Supplier ID: **3279**
 Location: Ouanaminthe
 Number of workers: **1,639**
 Date of registration: Jan-20
 Date of last two Better Work assessments: May-23 May-24

Advisory and Training Services

15-Nov-24	Industry Seminar	ToT Training on Core Labor Standards
15-Nov-24	Advisory meeting	Conduct OSH tour to validate pending issues. Bipartite meeting on accomplishment of the committee. Documentation review file of terminated workers and payroll.
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
19-Jul-24	Industry Seminar	Bipartite Committee
11-Jul-24	Training	Risk Management and Control
11-Jul-24	Industry Seminar	Chemical Management System
11-Jul-24	Advisory meeting	Training on Risk Assessment, OSH tour to validate pending issues in the portal . Then, meeting with management on compensation.
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
1-Apr-24	Advisory meeting	Virtual meeting with the Compliance coordinator to explain the implications and changes that should be made in the factory payroll following the 3*8 law which is no longer in application, Follow-up on the training plan, session on the training monitoring plan. and OSH key performance indicators.
27-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2024						
May-24	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues	Develop OSH performance indicators and have follow-up meetings with management on the indicators		52

May-24	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include all the necessary steps..	Include the right to defend oneself prior to termination and to representation during the disciplinary process.		52
May-24	Working Time	Overtime	The factory did not obtain authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		8
May-24	Working Time	Overtime	Several workers were found to have completed more than 80 hours overtime per trimester.	Inform all the department about the limit of overtime allow per trimester. Monitor the quantity of overtime hours worked with Production.		8
May-24	Working Time	Overtime	The factory did not obtain authorization from MAST before working on Saturday and Sunday.	Request prior authorization from MAST before working Saturday and Sunday.		8
May-24	Working Time	Regular Hours	The factory did not obtain authorization from MAST before working at night.	Request prior authorization from MAST before working at night.		8
May-24	Working Time	Regular Hours	The employer did not post the factory's working hours for all shifts, including break time in all buildings.	Post the factory's working hours for all shifts, including break time in all buildings.		8
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit.	Discuss legal requirements with the General Manager. make updates to the internal regulations and the employment contract		8
May-24	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers are trained in fire-fighting as recommended by Better Work.	Train at least 10 percent of the workforce Develop a Monitoring system		8
May-24	Occupational Safety and Health	Emergency Preparedness	Source of ignition is not properly safeguarded.	Train supervisors and workers about fire hazards and the need to report hazards.		21
May-24	Occupational Safety and Health	Emergency Preparedness	The floors need to be marked. In addition, the evacuation plan needs to be updated.	Update the evacuation map and Paint yellow lines on the floor to show the exit pathway.		52
May-24	Occupational Safety and Health	Emergency Preparedness	Fire extinguishers were obstructed and another one was missing.	Mark on the floor space that should not be obstructed.		52

May-24	Occupational Safety and Health	Emergency Preparedness	The fire detection alarm system is not functioning and one alarm switch was obstructed.	Have a fire detection and alarm system suitable for the factory conditions. Specify who is in charge of regularly checking its functioning and include this in the system of daily-weekly checks.		8
May-24	Occupational Safety and Health	Health Services and First Aid	First aids boxes are missing several items. Additionally, one first aid box was obstructed.	Equip first aid box and define responsibility for refilling.		8
May-24	Occupational Safety and Health	Health Services and First Aid	insufficient number of medical staff.	Increase the number of medical staff.		52
May-24	Occupational Safety and Health	Welfare Facilities	The toilets did not have soap during working hours.	Provide soap dispenser and define who will check that soap is available all the time.		21
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the quantity of workers as required by law.		52
May-24	Occupational Safety and Health	Working Environment	Workplace temperature exceed the recommended limit of 30C.	install additional fans and specify who is in charge of regular maintenance of the fans.		52
May-24	Occupational Safety and Health	Worker Protection	During the factory tour, assessors found 17 chairs missing back rest.	Provide chairs with back rest.		8
May-24	Occupational Safety and Health	Worker Protection	Improperly labelled circuit breakers found in three electrical boxes.	Labelled all circuit breakers. Ensure that the factory electrician conduct more regularly checks.		21
May-24	Occupational Safety and Health	Worker Protection	10 percent of the single-needle and double needle machines were missing their finger guards.	Install all machine guards and develop a preventive maintenance plan.		8
May-24	Occupational Safety and Health	Worker Protection	The employer did not provide proper PPE for heavy lifting.	Provide worker proper PPE for heavy lifting.		8
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors did not observe any eye wash in the compressor room, where chemicals has been used.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.	Management took corrective action during the assessment.	8
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were available for several chemical products used in the workplace.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		52
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in several areas of the workspace.	Define who control the chemical container on receipt from supplier and control the label.		52

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory does not list all the products used in the workplace.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		52
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an OSH committee.	1. Change the composition of the committee 2. Conduct regular meeting 3. Keep minutes of meetings		8
May-24	Contracts and Human Resources	Termination	The annual salary supplement or bonus did not include payment for weekly rest day,	Pay workers their annual salary supplement or bonus upon termination and include payment for weekly rest day in the calculation.		8
May-24	Contracts and Human Resources	Termination	The average salary used for the payment of unused annual paid leave upon termination does not include the payment for weekly rest day.	Pay workers their annual leave when they resign or terminated and include payment for weekly rest day in the calculation.		8
May-24	Contracts and Human Resources	Termination	The average salary used to do the calculation of the notice of termination payment is not accurate.	Pay workers their notice of termination when they resign or terminated and include payment for weekly rest day in the calculation.		8
May-24	Contracts and Human Resources	Employment Contracts	The Internal work rules Has not been approved by MAST.	Request Approval of the internal work rules from MAST.		52
May-24	Compensation	Social Security and Other Benefits	Workers' pay slip for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.		52
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA for maternity and health insurance.	Calculate workers' contribution to OFATMA on Workers' basic salary. Then collect and forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.		52
May-24	Compensation	Social Security and Other Benefits	Employer's contributions to ONA are based on the minimum salary.	Calculate employer's contribution to ONA on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.		52
May-24	Compensation	Social Security and Other Benefits	The employer's contribution for OFATMA for maternity and health insurance is made late.	Calculate employer's contribution to OFATMA on Workers' basic salary. Then forward the contribution to OFATMA within the first 10 business days of the next month for the previous month.		52

May-24	Compensation	Social Security and Other Benefits	Workers' deductions for ONA are based on the minimum salary.	Calculate workers' contribution on Workers' basic salary. Then forward the contribution to ONA within the first 10 business days of the next month for the previous month.		52
May-24	Compensation	Paid Leave	Holidays are not paid on average daily salary to all workers.	Make adjustments in the Payroll system. Pay holidays on average daily salary to all workers.		52
May-24	Compensation	Paid Leave	The weekly rest day is not paid to workers who have accumulated 48 hours during the work week.	Pay the rest day when worker works for 48 hours or 6 consecutive days.		8
May-24	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Pay the weekly rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for maternity leave. The factory must ensure that worker entitled to maternity leave receives 12 weeks of payment.		52
May-24	Compensation	Paid Leave	Payment of sick leave is not accurate.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for sick leave.		8
May-24	Compensation	Wage Information, Use and Deduction	The overtime hours were not registered for several workers on fix salary.	Register hours of overtime for the supervisors, workers on fix salary and the non-production workers such as administrative staff. Then, pay overtime hours worked as required by law.		8
May-24	Compensation	Overtime Wages	Assessors noted that overtime performed on weekly rest day were pay 50 percent above the normal overtime wage.	Make adjustments in the payroll system and ensure that overtime work hours performed beyond 6 PM for day shift are paid 100 percent above normal wage		8
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	Several articles of the collective bargaining agreement are not implemented.	Implement all provisions of the collective agreement.		21
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	the OSH policy was not developed in consultation with workers and their representatives.	The factory should discuss the policy with worker representative, including the OSH committee members, gather their inputs and include them in the policy. Workers should also be made aware of the policy either through training or during induction		

May-23	Occupational Safety and Health	OSH Management Systems	No. The factory has not posted policies and work instructions around the workplace.	The factory needs to post the names of all committee members on the floor. If possible, post the pictures of the members as well. Post the policy.		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigates monitors and measures OSH issues	Management needs to: Perform regular test, survey and inspections. Logging and analysis of violations of procedures- Regularly review of effectiveness of management system including performance on measurable objectives and targets		
May-23	Contracts and Human Resources	Employment Contracts	The factory's disciplinary and termination procedures does not include all the necessary steps.	Update the procedure to include: The right to defend oneself prior to termination and to representation during the disciplinary process.		
May-23	Contracts and Human Resources	Employment Contracts	The Internal work rules Has not been approved by MAST.	The factory needs to follow up with MAST to make sure that the internal work rules document is approved.		
May-23	Contracts and Human Resources	Employment Contracts	The normal working hour in the Dominican contracts is different form the working time in the internal work rules.	Update the internal work rules.		
May-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	The factory should respect the law and send pregnant workers on maternity leave six weeks before delivery		
May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the workplace	The factory should make sure that aisles and evacuation routes remain unobstructed at all times during work hours. Training should be provided to production managers and supervisor about the dangers of obstructed aisle	The factory corrected the issue. However, a visit is required to make sure that the improvement is consistent.	
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted every six months, as recommended.	Fire drills should be conducted every six months, as recommended.	The factory conducted a fire drill in July. They should schedule another drill for January 2024.	
May-23	Occupational Safety and Health	Emergency Preparedness	The assessors noticed a light bulb wrapped with fabric in plotter area.	Workers should be trained in fire safety, let them know about the dangers this action present. Factory can analyze to install phone charging stations for workers.	The factory took measure to correct the issue. They have charging station available for workers to charge their phones.	

May-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan did not reflect the actual layout of the floor in building 3. In addition, the evacuation arrow does not lead to emergency exit.	Update the evacuation map to reflect the layout of the floor and mark the arrows to show the emergency routes.	Evacuation plan has been updated. Evidence has been shared.	
May-23	Occupational Safety and Health	Emergency Preparedness	Unidentified fire extinguishers found in building 3	The factory should assign a person or persons to verify all fire extinguishers on a monthly basis, to make sure that they are properly identified, and with sufficient charge.		
May-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of workers trained in first aid	The factory should provide first aid training to at least 10% of workforce as recommended.	Factory has train new workers on September and October, evidence has been sent	
May-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of medical Staff.	The factory needs to increase the number of nurses and add 1 medical visit at least 3 times per week.	The factory has its onsite medical facility and staff. Evidence has been shared. There is only one nurse	
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards.	The factory must include in its policy to provide medical checks twice a year for workers who are exposed to work related hazards or chemical products. The factory can also request such medical checks from OFTAMA when they are contributing to OFATMA maternity and health insurance and pay regularly.	A medical report and a list of workers who received the tests was sent by the factory. However further investigation is needed to verify if the workers received the test.	
May-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park); however, according to assessors' observation, those eating areas do not have the capacity to accommodate all workers even if the factories have different lunch schedules to decrease agglomeration of workers.			
May-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	The factory should establish a policy to test the drinking water on a monthly basis. They should conduct the water test on a monthly basic. Water samples should be gathered at the exit source.	The water test was conducted on . Factory will continue with monthly basis by a certified laboratory.	

May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	The factory should discuss with the park's administration to see how they can increase the number of toilets for women.		
May-23	Occupational Safety and Health	Welfare Facilities	Assessors noticed that soap was not available during the assessment visit in men toilets of building 3.	The factory should designate a person or persons to regularly check the bathroom for cleanliness and to make sure that supplies are always available for the workers.	The factory took measures to always have soap in stock. They have a person who is responsible to verify the toilets periodically.	
May-23	Occupational Safety and Health	Working Environment	Workplace temperature exceed the recommended limit of 30C	The factory should ensure that the temperature level is maintained below at of below 30C. Cooling systems or extractors can be installed as needed.		
May-23	Occupational Safety and Health	Worker Protection	Unidentified circuit breakers found in building 3.	Circuit breakers should be inspected regularly to make sure that they are properly identify and maintained.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The employer did not take any action to limit the exposure of employees to chemical vapors.	The employer should take actions to limit the exposure of employees to chemical vapors. The spot cleaning area should be isolated or extractors should be installed.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No MSDS' were available for several chemical products used in the workplace.	Have MSDS in all places where chemical and hazardous products are used and stored.	Issue was addressed. MSDS and label has been added to al chemical products. Evidence has been shared.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous products found in several areas of the workspace.	The factory should a dedicated a person or persons to be responsible to keep, update and manage their the chemical inventory. The person should keep track of the chemical containers to ensure that they are properly labelled.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory does not list all the products used in the workplace.	The factory should a dedicated person to be responsible to keep and update the chemical inventory system. A computerized system can be established to ensure that the chemical inventory is updated daily.	Chemical inventory is now accurate and updated. Verification done every week to keep accuracy. Evidence has been shared.	
May-23	Freedom of Association	Collective Bargaining	Several articles of the labor code are not implemented.	The unions should work with CODEVI to review the collective bargaining agreement and to work on an implementation plan for the articles that are not currently being implemented.		

May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. The employer does not pay 3% of workers' basic salary to OFATMA.	he factory needs to register for OFATMA maternity and health insurance as required by law. The factory need to contribute 3% of workers basic/ average daily salary to OFATMA. Contributions should be submitted monthly, with the first 10 working of the current month, for the previous month's payment.		
May-23			The employer collects and forward workers' contribution to ONA late.	ONA payment should be made on time, within the first 10 working days of the current month for the previous month's payment. Worker's and employer's contributions should be calculated on the basic/ average daily salary which includes all earnings except for overtime payments. If there is an agreement for partial payments. the factory should keep a copy of the agreement.		
May-23	Compensation	Social Security and Other Benefits	The factory is not registered with OFATMA for maternity and health insurance. The factory does not collect and forward the workers' contribution to OFATMA.	The factory needs to register for OFATMA maternity and health insurance as required by law. The factory need to contribute 3% of workers basic/ average daily salary to OFATMA. Contributions should be submitted monthly, with the first 10 working of the current month, for the previous month's payment.		
May-23	Compensation	Social Security and Other Benefits	The employer does not forward employer's contribution to ONA on time.	ONA payment should be made on time, within the first 10 working days of the current month for the previous month's payment. Worker's and employer's contributions should be calculated on the basic/ average daily salary which includes all earnings except for overtime payments. If there is an agreement for partial payments. the factory should keep a copy of the agreement.		
May-23	Compensation	Social Security and Other Benefits	Workers' pay slip for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	The factory needs to register for OFATMA maternity and health insurance, make the payments regularly as required by law. Once the factory is duly registered, they can send the worker's pay slip to OFATMA so OFATMA can make the required payment for sick leave and maternity leave.		

May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2021-2022.	The factory needs to pay OFATMA for work related accident on time, including the CDS payment. If there is an agreement with OFATMA, the factory should keep a copy of the written agreement and adhere to the payment conditions.		
May-23	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break	The Lunch break payment is no longer required. The June 13th decree suspended the 3*8 law.	
May-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	The factory needs to register all workers for OFATMA Maternity and health insurance and pay regularly. For pregnant workers, the factory needs to send their last pay slip to OFATMA, so OFATMA can pay them for 12 weeks of maternity leave as mandated by law.		



Factory: **Top Choice Apparel Corp**
3275
 Location: Ouanaminthe
 Number of workers: **1,927**
 Date of registration: Jan-20
 Date of last two Better Work assessments: May-23 May-24

Advisory and Training Services

21-Nov-24	Advisory meeting	Conduct OSH tour on chemical management . Then ,meet the newly bipartite committee and meeting with Management on dismissal of trade union leader.
15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
14-Nov-24	Industry Seminar	Bipartite Committee
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methods
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methods
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
15-Jul-24	Advisory meeting	Factory Visit 3 1) OSH tour to verify and validate pending issues in the portal 2) Management meeting to review the last assessment report 3) Follow up on the first progress report.
10-Apr-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers
2-Apr-24	Advisory meeting	Virtual meeting with the HR staff and OHS officer to: Explain the implications and changes that should be made in the factory payroll following the 3*8 law which is no longer in application, Follow-up on the training plan, and conduct a session on the training monitoring plan.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
4-Mar-24	Advisory meeting	Advisory visit with the HR manager and assistant manager to Explain BWH cycle and to review some of the policies that HR should focus on for the next 2 months.
22-Feb-24	Bipartite Committee meeting	Virtual Advisory visit to discuss: Training Plan with members of Bipartite committee Review Improvement plan
22-Feb-24	Advisory meeting	Virtual Advisory visit to discuss the training plan with members of Bipartite committee. Meeting with the compliance team to review pending issues in the Improvement plan. Conducted a video tour to verify some OSH issues.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment May 2023						
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate grievance handling and dispute resolution procedures.	Develop a grievance handling and dispute resolution procedures that includes communication of changes made or resolution, fair review and appeal process.		47
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate recruitment procedure.	Develop a recruitment procedure that includes: Hiring criteria that are applied equally to all job applicants.		47
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have a disciplinary and termination procedure.	Include in the procedure a clear specification of unacceptable behaviors or performance.		47
May-24	Contracts and Human Resources	Employment Contracts	The employer does not properly investigate violations of HR policies and procedures	Develop an HR system performance indicator. Investigate violations of HR policies and procedures and review the procedures accordingly.		47
May-24	Contracts and Human Resources	Employment Contracts	The employer does not adequately communicate and implement HR policies.	Communicate and implement HR policies through : Induction training for workers and staff. Conduct staff training on how to carry out policies and procedures.		47
May-24	Contracts and Human Resources	Employment Contracts	The HR policy that defines accountability and responsibility for HR issues to HR staff is in Spanish.	Translate the document in local language.		47
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management and includes all the necessary elements.	Develop an HR policy that is signed by top management and includes: - Mandatory minimum age requirements - Non-utilization of child labor - Equal treatment and non-discrimination - Prevention of sexual harassment - Legal requirements in relation to termination - Freedom of association		47
May-24	Working Time	Leave	The factory did not provide 15 days of annual leave to all workers.	Provide 15 days of annual leave to all mechanic workers.		8
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST before working on overtime.	Request prior authorization from MAST before working on overtime.		8

May-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitor and measures OSH issues.	Conduct regular meeting with management to define and review Occupational safety target and performance.		47
May-24	Occupational Safety and Health	Emergency Preparedness	Less than 10 percent of workers were trained in fire-fighting equipment.	Train at least 10 percent of workers in fire-fighting equipment.		47
May-24	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	Inform workers about fire hazards and the need to report hazards for correction.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted on twice a year as recommended by Better Work.	Conduct at least 2 emergency drill per calendar year.		47
May-24	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in the sewing areas.	Provide additional space for storing goods and ensure that aisles are not obstructed.	The tables and boxes have been removed.	21
May-24	Occupational Safety and Health	Emergency Preparedness	One exit door was lock during work hours.	Provide instructions not to close the exit door in case of fire.	Management issued instructions and all the exit doors remain unlocked during working hours.	8
May-24	Occupational Safety and Health	Emergency Preparedness	The floor needs to be repainted and evacuation maps need to be updated.	Update the evacuation map in Top choice 3- Paint evacuation arrows and signs in Top Choice 2.	The evacuation plan has been updated and the floor has been remarked.	8
May-24	Working Time	Overtime	Several workers accumulated more than 80 hours overtime during a trimester.	Ensure that overtime worked per trimester is less than 80 hours.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Several fire extinguishers were not properly maintained.	Provide adequate firefighting equipment and ensure regular maintenance.		47
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST before working on Sunday.	Request prior authorization from MAST before working on Sunday.		8
May-24	Working Time	Regular Hours	Workers complain that they are not receiving the full amount of their salary because the punch system is not working properly.	Have an accurate attendance recording system. Train workers on clock in / clock out procedure.		8
May-24	Working Time	Regular Hours	The working hours posted on the floors is not accurate.	Display the factory's working hours for all shifts.		8
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit.	Change the regular daily or weekly hours to comply with the labor code.		8

May-24	Occupational Safety and Health	Health Services and First Aid	Less than 10 percent of the workforce is trained in first aid, as recommended by Better Work.	Train at least than 10 percent of the workforce in first Aid.		47
May-24	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks for workers were present in worker's files.	Pay OFATMA work related accident including the CDS for the fiscal year 2023-2024. Request OFATMA to conduct the annual medical checks.		47
May-24	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Provide free medical checks for workers exposed to work-related hazards twice a year.		47
May-24	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	Pay OFATMA for work related accident and request the health cards within the first 3 months of hiring.		47
May-24	Occupational Safety and Health	Welfare Facilities	During interview workers said they never find soap in the toilets.	- Provide soap dispenser - Define who will check that soap is available and include this in the system of daily-weekly checks		8
May-24	Occupational Safety and Health	Working Environment	Insufficient lux level in several areas of the workspace.	Increase the lux level in Packing and sewing section to at least 500 lux.		21
May-24	Occupational Safety and Health	Working Environment	The temperature exceed Better Work recommended limit of 30 C.	Install additional fans in the workplace		8
May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have onsite medical facilities and staff as required by art. 478 and 479 of the labor code.	Hire the required medical staff.		47
May-24	Occupational Safety and Health	Worker Protection	The factory did not provide any training records on the use of personal protective equipment.	Develop an internal training plan and train all worker on the use of PPE.		8
May-24	Occupational Safety and Health	Worker Protection	Several chairs were missing back rest.	Provide chair with back rest.		8
May-24	Occupational Safety and Health	Worker Protection	Several sewing machines are missing eye guards, finger guards and belt guards.	Define who is in charge of installing and regularly maintaining the machine guards .		47

May-24	Occupational Safety and Health	Worker Protection	The employer does not provide all the necessary PPE to all workers.	- Consult the MSDS to see which PPE is required for each product - Provide proper PPE to workers working with chemicals.		37
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed where chemicals are used and stored.	Provide eye wash bottles and specify who will conduct regular checks of the functioning of the eyewash.		47
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not provide training to all workers using chemical and hazardous products.	Train workers and supervisors on chemical management.		8
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area is not isolated.	Improve isolation from the chemical such as separate room for spot cleaning.		47
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's are missing for several chemical and hazardous products.	. Keep chemical MSDS for all hazardous chemicals used in the workplace.		47
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical storage areas on both floors do not meet all safety requirements.	Train workers on proper storage of chemicals and specify who conducts regular chemical safety checks.		47
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in the workspace.	Define who control the chemical container on receipt from supplier and control the label.		47
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not send the report of work related accident to OFATMA monthly.	Record work related accidents and send them to OFATMA monthly.		47
May-24	Contracts and Human Resources	Termination	The annual salary supplement or bonus is not accurate.	Include payment for weekly rest day in the calculation of payment of annual salary supplement or bonus upon termination.		47
May-24	Contracts and Human Resources	Termination	The average salary for annual leave when worker resign or are terminated is not accurate.	Include the payment for weekly rest day in the calculation of unused paid annual leave when worker resign or terminated.		47
May-24	Contracts and Human Resources	Termination	The calculation of the payment for the notice period did not include payment for weekly rest day.	Include the payment for weekly rest day in the calculation of payment for the notice period.		47

May-24	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor and posted in the workplace.	Update the internal work rules and send it to MAST for approval.		47
May-24	Contracts and Human Resources	Employment Contracts	The apprentice contracts were not approved by the Ministry of Labor (MAST), as legally required.	Request approval for the apprentice contracts. make an amendment to workers' contracts to include all the information as stated in the labor code.		47
May-24	Compensation	Social Security and Other Benefits	The factory did not send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.	Register with OFATMA for maternity and health insurance. Then, send workers pay slip for the last 3 months to OFATMA for sick leave and maternity leave payment.		47
May-24	Compensation	Social Security and Other Benefits	The factory does not collect and forward workers' contributions to OFATMA for maternity and health insurance.	Collect and forward workers' contributions to OFATMA for maternity and health insurance.		47
May-24	Compensation	Social Security and Other Benefits	ONA deduction are based on the minimum salary.	Forward employer's contributions to ONA on time. Moreover, ensure that ONA deduction is based on the basic salary including the weekly rest day payment.		47
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous substances does not specify the location where they are stored in all building.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		47
May-24	Compensation	Social Security and Other Benefits	The last OFATMA payment for maternity and health insurance. made in November 2023.	Forward employer's contribution to OFATMA maternity and health insurance on time. Furthermore, ensure the calculation for the payment is based on the basic salary.		47
May-24	Compensation	Social Security and Other Benefits	Employer contributions to ONA are based on the minimum salary.	Calculate ONA deduction on the basic salary including money for production and allocation. Then, forward contribution on time.		47
May-24	Compensation	Social Security and Other Benefits	The annual salary supplement or bonus did not include payment for weekly rest day.	Include payment for weekly rest day in the calculation of annual salary supplement or bonus.		47

May-24	Compensation	Social Security and Other Benefits	The factory did not provide proof of payment for the fiscal year 2023-2024, for OFATMA work related accident insurance.	Pay OFATMA work related accident for the fiscal year 2023-2024.		47
May-24	Compensation	Paid Leave	Holidays are not paid on average daily salary to all workers.	Calculate holiday payment on average daily salary to all workers.		8
May-24	Compensation	Paid Leave	The factory does pay workers for the weekly rest day.	Pay the rest day when worker works for 48 hours or 6 consecutive days.		8
May-24	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payment.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for the payment of maternity leave. The factory must ensure that worker entitled to maternity leave receives 12 weeks of payment.		47
May-24	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of unused paid annual leave does not include the payment for weekly rest day.	Include the payment for weekly rest day in the calculation of unused paid annual leave when worker resign or terminated.		47
May-24	Compensation	Paid Leave	Payments for sick leave are based on the minimum salary and did not include payment for weekly rest day.	Include the payment for the weekly day of rest in the calculation of the average salary for payment of sick leave.		47
May-24	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the notice period does not include payment for weekly rest day.	Include the payment for weekly rest day in the calculation of payment for the notice period.		8
May-24	Compensation	Paid Leave	Payments for annual leave are based on the minimum salary and did not include payment for weekly rest day.	Include payment for weekly rest day in the calculation of annual leave.		8
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor and posted in the workplace.	Update the internal work rules and send the internal work rules to MAST for approval.		47

May-24	Compensation	Wage Information, Use and Deduction	Overtime hours were not registered for workers on fix salary and the non-production workers.	Register overtime hours for the supervisors, workers on fixed salary and the non-production workers such as and administrative staff and pay them in accordance with the law.		8
May-24	Compensation	Overtime Wages	Overtime work hours performed beyond 6 PM for day shift were paid 50 percent above normal wage instead of 100 percent.	Modify the payroll system and pay the overtime work performed beyond 6 PM for day shift were paid 100 percent above the normal wage.		8
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement all the provisions of the collective agreement.	Implement all the provisions of the collective agreement.		21
Assessment May 2023						
May-23	Occupational Safety and Health	OSH Management Systems	The factory has an OSH policy that is not signed by top management. In addition, the policy is written in Spanish.	Management needs to discuss the OSH policy with workers, have their input and then sign it. The sign policy should also be posted on the floor.		
May-23	Occupational Safety and Health	OSH Management Systems	A structural safety certificate was not provided to assessors.	The factory needs to request the certificate from the CODEVI administration.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not record work related accidents on a monthly basis and does not submit them to OFATMA.	The factory needs to record all work related accidents and submit them to OFATMA on a monthly basis.		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not properly investigate, monitor and measures OSH issues.	Them employer need to do the following: -Log and analyze of violations of procedures; -Regular management review of effectiveness of management system including performance on measurable objectives and targets; - Accident investigations are followed by an actual change in procedure/ practice		
May-23	Occupational Safety and Health	OSH Management Systems	Management has not posted the name of OSH committee members in the workspace.	Post the names and pictures of committee members.		

May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an appropriate recruitment procedure.	The factory need to review its recruitment procedure to includes:- Hiring criteria that are applied equally to all job applicants- Verifying the age of workers prior to hiring- Ensuring compliance with legal requirements for workers under age 18- Ensuring that workers retain ID documents.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not a have disciplinary and termination procedure.	The factory should develop a disciplinary and termination procedures that includes a clear specification of unacceptable behaviors or performance, a step-by-step warning system and procedures related to legal notice periods and termination payments. The time frame between warnings. The right to defend oneself prior to termination and to representation during the disciplinary process.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not has an appropriate grievance handling and dispute resolution procedures.	The grievance handling and dispute resolution procedures should includes : Clear options for submitting grievances and disputes that ensure anonymity and non-retaliation, communication of changes made or resolution, fair review and appeal process.		
May-23	Contracts and Human Resources	Employment Contracts	The employer does not properly investigate violations of HR policies and procedures.	The factory needs to develop a procedure to investigate violations of HR policies and procedures, identify weaknesses and make necessary adjustments to prevent recurrence. The procedure should include how such investigation will proceed and who will be responsible to perform the investigation.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor. Management had no comment.	The internal work rules should me submitted to OFATMA for Approval. Internal work rules should be in French or Creole. Once approved, it should be share with workers or posted on the floor.		

May-23	Contracts and Human Resources	Employment Contracts	The employer does not adequately communicate and implement HR policies.	The employer needs to review its HR policies that include: Induction training for workers and staff; Staff training on how to carry out policies and procedures; Policies and internal regulations posted in the factory; Worker representatives and/or worker-		
May-23	Contracts and Human Resources	Employment Contracts	The HR policy that defines accountability and responsibility for HR issues to HR staff is in Spanish	Translate the document from Spanish to French or Creole. Update reporting lines and job duties.		
May-23	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management and includes all the necessary elements.	The factory should develop an HR policy that is signed by top management which includes: Mandatory minimum age requirements Non-utilization of child labor Equal treatment and non-discrimination Prevention of sexual harassment Legal requirements in relation to termination Freedom of association Working hours and compensation.		
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	The employer failed to implement the following provisions of the CBA	The unions, factory management and CODEVI administration should meet to discuss a plan to implement all the articles in the CBA.		
May-23	Contracts and Human Resources	Contracting Procedures	A review of worker contracts revealed that the apprentice contracts were not approved as legally mandated.	The contracts for apprentice should be submitted to MAST for Approval.		
May-23	Working Time	Leave	Employer provides less than 12 weeks of maternity leave to pregnant workers.	Provide pregnant women with 12 weeks of maternity leave as mandated by law.		
May-23	Working Time	Regular Hours	The regular working hours are exceed the legal limit.	The June 13 decree puts the 3*8 law on pause. The factory has a CBA which allows it to work a regular day of 9h plus the lunch break.		
May-23	Occupational Safety and Health	Emergency Preparedness	less than 10 percent of workers were trained in fire-fighting equipment.	Schedule training to cover at least 10% of the workforce.		
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted on twice a year as recommended by Better Work.	Conduct a fire drill every six months.		

May-23	Occupational Safety and Health	Emergency Preparedness	Obstructed aisles in several areas of the building.	They need to organize the factory floor properly to ensure that aisles remain unobstructed		
May-23	Occupational Safety and Health	Emergency Preparedness	The evacuation plan does not reflect the layout of the floor. Evacuation routes need to be marked. The emergency exit doors are missing the emergency light.	The factory needs to paint the escape routes on the floor, prepare the evacuation plan and post it on the factory floor. Install emergency lights in the emergency exits.		
May-23	Occupational Safety and Health	Emergency Preparedness	Improper Maintenance of fire extinguisher.	Inspect the fire extinguishers regularly and place the proper inspection tag.		
May-23	Occupational Safety and Health	Emergency Preparedness	There is no alarm install in building 2.	Install an alarm system and smoke detectors in the building.		
May-23	Occupational Safety and Health	Health Services and First Aid	The total number of workers trained in first aid is less than 10 percent of the workforce as recommended by Better Work.	The factory needs to provide training to at least 10% of the workers. The should develop a training plan to provide the training gradually until they reach or exceed 10% of the workforce.		
May-23	Occupational Safety and Health	Health Services and First Aid	The assessors did not notice any first aid box on the floor of the building Top Choice 2.	The factory needs install first aid boxes, as appropriate, implement a system to make sure that first aid boxes are checked regularly. Make sure to have a product checklist posted on or near the first aid boxes to ensure that all the medical item are available at all times.		
May-23	Occupational Safety and Health	Health Services and First Aid		Management needs to discuss their needs CODEVI administration.	Management expressed that workers have access to use the medical facilities of the industrial park.	
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		

May-23	Occupational Safety and Health	Health Services and First Aid	Worker interviews across the factory confirmed they did not receive the health cards within the first 3 months of hiring.	The factory should pay OFATMA on time and include the payment of the CDS. The factory should request that OFATMA performs the medical exam and provide the health card to the workers.		
May-23	Occupational Safety and Health	Welfare Facilities	The employer does not have its own eating area, instead workers use the communal eating areas shared with other factories within CODEVI (industrial park).	The factory needs to discuss with CODEVI administration to find additional spaces to accommodate the workers during lunch.		
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	The factory need to discuss with the administration of CODEVI to finds ways to increase the number of toilets.		
May-23	Occupational Safety and Health	Working Environment	The assessors noticed that the packing area was not clean and tidy.	The factory need to have a system where the factory floor is cleaned on a regular basis.		
May-23	Occupational Safety and Health	Working Environment	Insufficient light level in several areas of the workspace.	The factory needs to ensure that the light level is appropriate in all sections of the factory floor.		
May-23	Occupational Safety and Health	Worker Protection	Improper maintenance of machinery.	The factory needs to make sure that all machines have the proper guards for worker protection. They should train the workers in the proper use of the guards and implement a system to ensure that workers use them.		
May-23	Occupational Safety and Health	Worker Protection	The employer does not provide all the necessary PPE to all workers.	Provide appropriate PPE to all workers. Implement a system to ensure that PPE are used when necessary.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	No eye wash station has been installed where chemicals are used and stored.	Install an eye wash facility in the compressor room of the second building Top Choice 2.	Management they are training a new compliance officer to check and report these issues.	
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The vacuum machine observed in the spot cleaning of the building Top Choice 1, is not working.	Make sure that the vacuum machine is functioning to prevent worker exposure to chemical products.		

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS's are missing for several chemical and hazardous products.	Define who is responsible to acquire and keep the MSDS for all products. Keep MSDS in all area where products are being used. Keep a separate folder with all the MSDS in the office. Ensure that users of chemical product are aware and have read the MSDS so they can be knowledgeable about the products.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemical and hazardous substances found in the workspace.	The factory should assign a person to be in charge of the inventory; ensure that all product are properly labelled.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Inaccurate inventory of chemical and hazardous substances.	The factory should review its inventory management system to include quantity received, quantity delivered, actual quantity and the location where chemicals are stored in all building. They should assign a person to keep track of the inventory.		
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the annual salary supplement upon termination does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the unused paid annual leave upon termination does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Contracts and Human Resources	Termination	The calculation of the average salary for the payment of the applicable notice period does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Compensation	Social Security and Other Benefits	The employer does not pay the required employer contributions to ONA.	The factory needs to submit employer's contributions to ONA within the first 10 working days of the following month for the previous month's payment. Calculate deductions based on average daily salary (BASIC SALARY). Exclude overtime payment in the calculation.	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Compensation	Social Security and Other Benefits	The factory is not register for OFATMA maternity and health insurance.	The factory needs to register all workers for OFATMA maternity and health insurance		

May-23	Compensation	Social Security and Other Benefits				
May-23	Compensation	Social Security and Other Benefits	The employer collects but does not forward workers' to ONA on time.	The factory needs to submit payment to ONA within the first 10 working days of the following month for the previous month's payment. Calculate deductions based on average daily salary (BASIC SALARY). Exclude overtime payment in the calculation.		
May-23	Compensation	Social Security and Other Benefits	Workers' pay slips for the last 3 months are not sent to OFATMA for payment of sick and maternity leave.	Factory needs to register for OFATMA and make the necessary contributions regularly.		
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the annual salary supplement does not include the lunch break payment.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2022- 2023.	The factory needs to pay OFATAMA for work related accident insurance on time. Should they have an agreement with OFATMA for partial payment, they should have a copy of the agreement and make payments as requested.		
May-23	Compensation	Paid Leave	Sick leave payments are not based on average daily earnings. Furthermore, the calculation does not include the lunch break payment.	Pay the lunch break and include all earning in the calculation of the average daily salary.	The calculation of the average daily salary must include all earnings, except the lunch break payment, which is no longer required. Overtime does not need to be included.	
May-23	Compensation	Paid Leave	The lunch breaks is not compensated in the payroll.	Pay the lunch break.	The 3*8 Law stated that the lunch break is an integral part of the eight-hour day and should be compensated. The June 13 decree suspends the 3*8 law, the payment of the lunch break is no longer required.	

May-23	Compensation	Paid Leave	The factory compensated workers for 6 weeks of maternity leave. In addition, the calculation does not include the lunch break payment.	The factory needs register all workers with OFATMA for maternity and health insurance, deduct the proper amount and submit it to OFATMA on a monthly basis. For pregnant workers, the factory should send their last pay slips to OFATMA for their maternity leave payments.	The calculation of the average daily salary must include all earnings, except the lunch break payment, which is no longer required. Overtime does not need to be included.	
May-23	Compensation	Paid Leave	The calculation of the average salary for the annual leave payment does not include the lunch break payment.	Pay the lunch break	The June 13 decree suspends the 3*8 law. The lunch break payment is no longer required.	



Factory: **Uniwell Apparel, LLC.**
 Supplier ID: **3285**
 Location: **Ouanaminthe**
 Number of workers: **642**
 Date of registration: **Jan-20**
 Date of last two Better Work assessments: **May-23** **May-24**

Advisory and Training Services

21/14/2024	Advisory meeting	Conduct a factory tour on emergency preparedness. Facilitate a short session on OSH. Meeting with management to follow up on termination of union leader and compensation.
15-Nov-24	Industry Seminar	ToT Training on Core Labour Standards
14-Nov-24	Industry Seminar	Bipartite Committee
13-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
12-Nov-24	Industry Seminar	Workshop on DGI Taxes Calculation Methode
7-Nov-24	Industry Seminar	ToT Training on Compensation and Working Time
6-Nov-24	Industry Seminar	Industrial Relations
5-Nov-24	Industry Seminar	Hazard Risk Management and Control Training
31-Oct-24	Industry Seminar	ToT Training on HR and Contract
30-Oct-24	Industry Seminar	General ToT Training
22-Aug-24	Industry Seminar	Virtual Workplace Cooperation & Communication (WCC)
19-Jul-24	Industry Seminar	Bipartite Committee
17-Jul-24	Advisory meeting	Conduct OSH tour to validate pending issues in the portal, then management meeting regarding compensation and Meeting with union members.
11-Jul-24	Industry Seminar	Chemical Management System
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
2-Jul-24	Industry Seminar	Virtual Supervisory Skills
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Advisory meeting	Virtual meeting with the bipartite committee to validate pending issues and discuss about emergency preparedness. Verification of the payroll such as Overtime hours worked and holiday payment.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
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Assessment May 2024

May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop the policy in consultation with workers and their representatives and include measurable objectives and improvement targets in the policy		46
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedure.	Develop a hazard/risk management and control procedure that includes:- A hierarchy of controls that is used to select effective controls- A risk register that drives the implementation of controls.		46
May-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: - Root cause analysis - Focus on sustainable solutions - Implementation of changes in order to avoid reoccurrence		46
May-24	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	- Appoint an OSH officer with sufficient expertise - Ensure effective functioning of the OSH committee		46
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an adequate grievance handling and dispute resolution procedures.	Translate the procedure in local language and ensure it include anonymity.		46
May-24	Contracts and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management.	review the policy to include :- The right to representation during disciplinary processes;- Timeframe for payments. Have it signed by top management.		46
May-24	Contracts and Human Resources	Employment Contracts	The employer did not investigate violations of HR policies and procedures.	Develop a procedure to review violations of on HR policy and include system performance indicators.		46
May-24	Contracts and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include all the necessary steps.	Provide Induction training for workers and staff. Post Policies and internal regulations in the factory.		46

May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST, to perform overtime.	Request prior authorization from MAST to perform overtime.		8
May-24	Working Time	Overtime	The factory did not obtain prior authorization from MAST, to work overtime on Sundays.	Request prior authorization from MAST to perform overtime on Sundays.		8
May-24	Working Time	Regular Hours	The internal work rules are not aligned with the actual working hours.	Ensure the working hours are aligned with the internal work rules.		8
May-24	Working Time	Regular Hours	The regular daily or weekly hours exceed the legal limit.	Change the regular daily or weekly hours to comply with the labor code.		8
May-24	Occupational Safety and Health	Emergency Preparedness	Less 10 percent of worker in the use of firefighting equipment.	Train at least 10 percent of worker in the use of firefighting equipment.		46
May-24	Occupational Safety and Health	Emergency Preparedness	Sources of ignition are not properly safeguarded.	-Post appropriate safety warnings in the workplace. - Include this aspect in the daily-weekly checklist	Safety warnings has been posted around the workplace.	21
May-24	Occupational Safety and Health	Emergency Preparedness	The floor needs to be repainted in the packing and warehouse area.	- Paint evacuation arrows and signs - Paint yellow lines on the floor to show the exit pathway		46
May-24	Occupational Safety and Health	Emergency Preparedness	The fire extinguisher on the forklift did not have any inspection tag.	Provide adequate firefighting equipment. Ensure regular maintenance.	All fire extinguishers have been inspected. The inspection tag has been installed in the forklift in July 2024.	46
May-24	Occupational Safety and Health	Health Services and First Aid	The number of workers trained in first aid is less than 10% as recommended by BWH.	Train at least 10 percent of workers in first Aid.		46
May-24	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff.	Make a contract with a health care unit in the surroundings or Hire the required medical staff.		46
May-24	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health card to OFATMA for all workers and request medical checks for all workers.		46

May-24	Occupational Safety and Health	Health Services and First Aid	Workers who have been exposed to work-related hazards did not receive two free health on a yearly basis.	Provide free health checks to workers who have been exposed to work-related hazards twice a year.		46
May-24	Occupational Safety and Health	Health Services and First Aid	Worker did not receive health cards within the first three months of hiring.	Pay the health card to OFATMA for all workers and request medical checks for newly hired workers.		46
May-24	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.		46
May-24	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilets.	Increase the number of toilets based on the workforce as required by law.		46
May-24	Occupational Safety and Health	Worker Protection	The assessors observed 8 chairs found without back rest.	Provide chairs with backrest to workers.		8
May-24	Occupational Safety and Health	Worker Protection	Exposed wires were noticed in the compressor room.	Insulate the exposed electrical wires.	The factory electrician removed the exposed wire.	8
May-24	Occupational Safety and Health	Worker Protection	70% of single needle machines are missing finger guards.	Define who is in charge of installing & regularly maintaining the machine.	An inventory of sewing machines missing protective equipment has been conducted.	8
May-24	Occupational Safety and Health	Worker Protection	Proper PPE is not provided to all workers.	Provide safety belt for workers doing heavy lifting in the cutting department.	Safety belt has been provided to all workers doing heavy lifting.	46
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	An eye wash station is not installed in all areas where chemical and hazardous products are used and stored.	Provide eye wash bottles. Specify who will conduct regular checks of the functioning of the eyewash and include this in the system of daily-weekly checks.	Eye wash bottles have been installed in the mechanic workshop.	46
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The spot cleaning area lacks proper conditions to prevent workers from unnecessary exposure to chemicals.	1. Improve isolation from the chemical and have a separate room for spot cleaning 2. Repair the vacuum		46
May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS is not available for all chemicals product.	Keep MSDS for all hazardous chemicals used in the workplace.	Management displays all MSDS where chemicals are stored.	46

May-24	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.	All chemicals and hazardous substances have been included in the chemicals inventories.	46
May-24	Contracts and Human Resources	Termination	The calculation of the payment for the annual salary supplement upon termination does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation for annual salary supplement upon termination.		8
May-24	Contracts and Human Resources	Termination	The calculation of the payment for unused paid annual leave upon termination does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation of unused paid annual leave when they resign or are terminated.		8
May-24	Contracts and Human Resources	Termination	The calculation of the average earnings for the applicable notice period when the time is not provided is not accurate.	Include the weekly rest day payment in the calculation of the notice period when the time is not provided.		8
May-24	Contracts and Human Resources	Employment Contracts	The factory has internal work rules, which have not been approved by the Ministry of Labor.	Translate the internal work rules in local language and send it to MAST for approval.		46
May-24	Contracts and Human Resources	Employment Contracts	Worker's contract does not comply with the labor code.	Review and update Worker's contract including the duration of the workday and the hours during which it must be performed.		46
May-24	Compensation	Social Security and Other Benefits	The factory does not submit workers' pay slips to OFATMA for sick leave or maternity leave payments.	Submit workers' pay slips to OFATMA for sick leave or maternity leave payments.		46
May-24	Compensation	Social Security and Other Benefits	The employer is affiliated with OFATMA for maternity and health insurance. However, no proof of payment was shared with the assessors.	Register with OFATMA for maternity and health insurance. Then collect and forward the contributions monthly.		46
May-24	Compensation	Social Security and Other Benefits	The factory has not submitted the required employer contribution to ONA in 2023 and 2024.	Forward employer contribution to ONA for 2023 and 2024.		46

May-24	Compensation	Social Security and Other Benefits	The factory has not forwarded the workers' contribution to ONA in 2023 and 2024.	Forward workers' contribution to ONA on Time as required by law.		46
May-24	Compensation	Social Security and Other Benefits	The calculation of the payment for the annual salary supplement or bonus does not include the weekly rest day payment.	Include the weekly rest day payment in the calculation for annual salary supplement or bonus.		46
May-24	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance and paid 50 percent of the fiscal year 2023-2024 including the health card (CDS).	Pay OFATMA work related accident on time for the fiscal year 2023-2024 including the health card (CDS).		46
May-24	Compensation	Paid Leave	Non working holiday payment is not based on the average earning.	Calculate the payroll for non working holiday on the average earning.		8
May-24	Compensation	Paid Leave	The weekly rest day is not compensated, when workers accumulate 48 hours within five days or less.	Pay the rest day when worker works for 48 hours or 6 consecutive days.		8
May-24	Compensation	Paid Leave	The factory has only paid 6 weeks of maternity leave, whereas eligible workers are entitled to 12 weeks of paid leave.	Pay the rest day when worker works for 48 hours or 6 consecutive days and include the payment in the calculation of the average salary for maternity leave.		46
May-24	Compensation	Paid Leave	Sick leave payment is not paid on the average earning since.	Include the weekly rest day payment in the calculation of sick leave payment.		46
May-24	Compensation	Paid Leave	The annual leave calculation is not based on the average daily earning and does not include the weekly rest day.	Include the weekly rest day payment in the calculation of annual leave.		46
May-24	Compensation	Wage Information, Use and Deduction	Some employees were not compensated for overtime work performed.	Register hours of overtime for workers on fix salary and the non-production workers. Then, pay overtime hours worked as required by law.		8

May-24	Compensation	Premium Pay	The payment for legally mandated holidays does not include production salary, incentives and weekly rest day payment.	Make adjustments in the payroll system and ensure that payment for legally mandated holidays is based on the average salary and include production incentives.		8
May-24	Compensation	Overtime Wages	The employer does not pay workers 100 percent above the normal wage for overtime hours worked on legally mandated holidays.	Make adjustments in the payroll system and ensure that overtime hours worked on legally mandated holidays are paid 100 percent above normal wage.		8
May-24	Compensation	Overtime Wages	Assessors noted that overtime performed beyond 6 pm, workers not paid the night time increase rate.	Make adjustments in the payroll system and ensure that overtime work hours performed beyond 6 PM for day shift are paid 100 percent above normal wage		8
May-24	Freedom of Association and Collective Bargaining	Collective Bargaining	The factory failed to implement some provisions of the collective agreement.	Implement all provisions of the collective agreement.		46
Assessment May 2023						
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The inventory of chemical and hazardous products is incomplete.	Assign responsible persons for updating inventories of hazardous substances in the various locations where they are stored or used.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Unlabeled containers of chemicals.	Define who control the chemical container on receipt from supplier and control the label.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Chemicals are not properly stored.	Issue instruction on proper storage.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemicals product.	Keep chemical MSDS for all hazardous chemicals used in the workplace.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	MSDS not available for all chemicals product.	Relocate the spot cleaning section or ensure it is in an isolated area.		
May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The factory did not show evidence of chemicals and hazardous substances training in the last 12 months.	Provide training to workers on chemical management.	A training has been conducted in July 2023 on PPE and chemical handling.	

May-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Eye wash stations are not available in all arD92:D96eas where chemical products are used.	Install eye wash facilities where chemicals are used Include this aspect in the daily and weekly checks.		
May-23	Freedom of Association and Collective Bargaining	Collective Bargaining	Violation of the CBA.	Discuss legal requirements with the factory Manager and register all workers for maternity and Health Insurance.		
May-23	Occupational Safety and Health	Emergency Preparedness	There is no smoke detector installed in the garbage warehouse, where combustion materials such as cardboard boxes and plastic are stored.	Install smoke detector in the garbage warehouse,		
May-23	Occupational Safety and Health	Emergency Preparedness	Improper maintenance of fire extinguishers.	Request an annual fire fighting maintenance report conducted by a certified company.		
May-23	Occupational Safety and Health	Emergency Preparedness	Emergency exits are not accessible.	Provide additional training for supervisors and remind supervisors about their responsibility to enforce OSH in their area.	The fabric has been transferred to another location.	
May-23	Occupational Safety and Health	Emergency Preparedness	Fire drills are not conducted twice a year as recommended.	Conduct at least 2 emergency drill per calendar year with the authorities (incl. full evacuation of the workforce).	The last fire drill was conducted in July 2023.	
May-23	Occupational Safety and Health	Emergency Preparedness	Combustible materials are not properly stored.	Store cardboard boxes and wood in other area away welding and grinding activities.		
May-23	Occupational Safety and Health	Emergency Preparedness	A significant amount of fabric pieces were observed stored beneath electrical panels.	Provide additional training for workers and supervisors on electrical safety.	The fabric has been removed and warning signs are posted on the factory floor.	
May-23	Occupational Safety and Health	Emergency Preparedness	The employer did not show evidence of fire-fighting training for workers in the last 12 months.	Train at least 10 percent of the workforce. Develop a monitoring log.		
May-23	Contract and Human Resources	Employment Contracts	The factory does not have an internal work rules approved by the Ministry of Labor.	Review the internal work rules. Send the document to MAST for approval. Ensure that all the pages are stamped.		

May-23	Contract and Human Resources	Employment Contracts	The factory does not have an HR policy that is signed by top management with a clear commitment to meet all legal requirements.	Develop an HR policy that is signed by top		
May-23	Occupational Safety and Health	Employment Contracts	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.		
May-23	Contract and Human Resources	Employment Contracts	The communication on HR policies and procedures does not include Induction all the necessary steps.	Conduct Induction training for workers. Provide Staff training on how to carry out policies and procedures. Display policies and internal regulations in the factory.		
May-23	Contract and Human Resources	Employment Contracts	HR job descriptions, reporting lines, description of job duties and authority and performance evaluations are not available.	Define responsibility in writing such as job descriptions, reporting lines, description of job duties and authority and performance evaluations.		
May-23	Contract and Human Resources	Employment Contracts	Disciplinary and termination procedures not adequate.	Include the following points in the procedure such as: - The right to defend oneself prior to termination, and to representation during disciplinary processes; - Timeframes for warnings and payments.		
May-23	Contract and Human Resources	Employment Contracts	The factory applies CODEVI's recruitment procedure.	Develop a recruitment procedure that include: Hiring criteria that are applied equally to all job applicants.		
May-23	Occupational Safety and Health	Health Services and First Aid	Worker did not receive the health cards within the first 3 months of hiring.	Pay the health cards and request OFATMA to conduct the health checks.		
May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of medical checks for workers exposed to work-related hazards were present in worker's files.	Conduct the health checks twice a year.		

May-23	Occupational Safety and Health	Health Services and First Aid	No evidence of annual medical checks were present in worker's files.	Pay the health cards and request OFATMA to conduct the health checks.		
May-23	Occupational Safety and Health	Health Services and First Aid	The factory does not have an onsite medical facilities and staff.	Set up a clinic approved by the Authorities or Hire the required medical staff.		
May-23	Occupational Safety and Health	Health Services and First Aid	Some first-aid box are obstructed and some are missing the checklist to ensure proper supply.	Provide training to workers to ensure that the first-aid boxes remain unobstructed.		
May-23	Occupational Safety and Health	Health Services and First Aid	The number of workers trained in first aid is less than 10% as recommended by BWH.	Train at least 10 percent of the workforce Develop a monitoring log.		
May-23	Working Time	Leave	Pregnant workers do not go on leave 6 weeks before giving birth.	Send workers on maternity leave 6 weeks before giving birth.		
May-23	Occupational Safety and Health	OSH Management Systems	OSH assessments have not been conducted during the past twelve months. The factory did not share any reports with assessors.	Conduct monthly OHS risk assessments in all the various sections of the factory including preventive and remediation action.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any list of health committee members and meeting minutes for the last 12 months.	Establish an OSH committee. Then inform workers about its existence.		
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate with assessor.	Request a structural safety certificate from the city hall.		
May-23	Occupational Safety and Health	OSH Management Systems	Management did not define accountability and/or responsibilities for OSH officer as well as top management.	Define accountability and/or responsibilities for OSH officer as well as top management.	The factory appointed a new OSH officer and the OSH committee has been implemented.	
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not effectively communicates and implements OSH policies.	Display OSH policies and work instructions in the workplace. Post of evacuation plans in all buildings		
May-23	Occupational Safety and Health	OSH Management Systems	The employer does not investigates monitors and measures OSH issues.	Investigates monitors and measures OSH issues through: Regular test, survey and inspections.		

May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an accident investigation procedure.	Develop an accident investigation procedure that includes: Implementation of changes in order to avoid reoccurrence.	The factory assigned an OSH officer and the procedure has been developed and validated.	
May-23	Occupational Safety and Health	OSH Management Systems	The factory did not share a hazard/risk management procedure with the assessors.	Develop a risk management procedure that include: A systematic approach to identifying hazards, a risk register, a structure to prioritize risks and a hierarchy of controls .	The risk procedure include: A systematic approach to identifying hazards, a structure to prioritize risks and a hierarchy of controls .	
May-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate OSH policy that is signed by top management.	Develop the policy in consultation with workers and their representatives which include measurable objectives and improvement targets.		
May-23	Compensation	Paid Leave	The calculation of the average salary for the payment of annual leave does not include the payment of the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Compensation	Paid Leave	The factory did not submit the sick leave payment records to assessors, to allow them to verify the if sick leave payments are made correctly.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for sick leave payment.		
May-23	Compensation	Paid Leave	The factory only paid 6 weeks of maternity leave where workers are entitled to 12 weeks of payments.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for maternity leave payment.		
May-23	Compensation	Paid Leave	The lunch break is not compensated in the payroll.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Working Time	Regular Hours	The regular working hours are from 6:30 AM to 4:30 PM including a 1 hour daily break , 5 days a week, which is equivalent to 10 hours per day and 50 hours per week.	Ensure that regular hour do not exceed 48 hours per week.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer an integral part of the work day.	

May-23	Working Time	Regular Hours	During the assessment visit, assessors noticed that the employer has not posted the factory's working hours for all shifts including break time.	Post the factory's working hours for all shifts including break time.		
May-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for work related accident and the factory has not completed the payment for the fiscal year 2022- 2023.	Keep record of the salary statement send to OFATMA. Pay OFATMA work related accident on time.		
May-23	Compensation	Social Security and Other Benefits	The calculation of the average salary for the payment of the annual salary supplement does not include the lunch break payment.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Compensation	Social Security and Other Benefits	The last payment made to ONA was done in September of 2022.	Calculate ONA deduction on Workers' basic salary Forward worker's and employers' contribution to ONA within the first 10 business days of the next month for the previous month.		
May-23	Compensation	Social Security and Other Benefits	The factory is registered with OFATMA for maternity and health insurance. Management share proof of payment for the employer's portion made for the month of February 2022.	Register with OFATMA for maternity and health insurance. Send worker's and employer's contributions to OFATMA, for maternity and health insurance.		
May-23	Compensation	Social Security and Other Benefits	The last payment made to ONA was done in September of 2022.	Calculate ONA deduction on Workers' basic salary Forward employers' contribution to ONA within the first 10 business days of the next month for the previous month		
May-23	Compensation	Social Security and Other Benefits	The factory is registered with OFATMA for maternity and health insurance. Management share proof of payment for the employers portion made for the month of February 2022.	Register with OFATMA for maternity and health insurance. Collect and forward contributions from workers salary for maternity and health insurance		

May-23	Compensation	Social Security and Other Benefits	The factory does not send workers' pay slip to OFATMA for maternity or sick leave payments.	Register with OFATMA for maternity and health insurance. Send workers' pay slip to OFATMA for maternity or sick leave payments.		
May-23	Compensation	Termination	The employers pays workers their unused paid leave upon termination.	Pay the lunch break.	The June 13 decree suspends the 3*8 law, so Better Work is not finding non-compliance for non-payment of the lunch break.	
May-23	Compensation	Termination	The calculation of the average salary for the payment of the annual salary supplement upon termination does not include the lunch break.	Pay the lunch break.	The June 13 decree suspends the 3*8 law. The payment of the lunch break is no longer required.	
May-23	Occupational Safety and Health	Welfare Facilities	Insufficient number of toilet.	Discuss legal requirements with the General Manager. Increase the number of toilets as required by law.		
May-23	Occupational Safety and Health	Welfare Facilities	The water test is not conducted on a monthly basis by a certified laboratory.	Conduct the water test monthly.		
May-23	Occupational Safety and Health	Welfare Facilities	The eating areas do not have the capacity to accommodate all workers even if the factories have different lunch schedules to decrease agglomeration of workers.	Provide an eating Area that can accommodate all the workers		
May-23	Occupational Safety and Health	Worker Protection	The employer has not provided proper PPE to all workers.	Provide employees with all necessary personal protective clothing and equipment according to PPE regulation.		
May-23	Occupational Safety and Health	Worker Protection	The employer representative did not provide records of PPE training sessions for the workers in the last 12 months.	Develop a training plan and conduct training on PPE.		
May-23	Occupational Safety and Health	Worker Protection	During the factory tour, the assessors noticed there is no warning signals and safety precautions where chemicals containers are stored.	Post warning signals and safety precautions where chemicals containers are stored.		

May-23	Occupational Safety and Health	Worker Protection	Shock absorbing mats are not available for all standing workers at Heat Transfer section.	Provide anti fatigue mats for standing workers.		
May-23	Occupational Safety and Health	Working Environment	Lux level is insufficient in the workplace.	Increase the lux level with additional light. Specify who is in charge of regular maintenance of the lights and conduct regular measurement of temperature & compare with threshold value.		
May-23	Occupational Safety and Health	Working Environment	Temperature level exceed 30 C in the workplace.	Increase the ventilation with additional fans. Specify who is in charge of regular maintenance of the fans and conduct regular measurement of temperature & compare with threshold value.		
May-23	Occupational Safety and Health	Working Environment	Most of the aisles in the fabric and trims warehouse were obstructed by bundles of fabric and trim boxes.	Provide additional space for storing goods, rearranging the storage room.		



Factory: **The Willbes Haitian 2A S.A.**
 Supplier ID: **142**
 Location: **Port-au-Prince**
 Number of workers: **876**
 Date of registration: **Sep-10**
 Date of last two Better Work assessments: **Oct-23** **Oct-24**

Advisory and Training Services

6-Dec-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment and Abuse
19-Nov-24	Advisory meeting	Meeting with compliance on the new Improvement plan. EA advised factory to set priorities and develop a corrective action plan with deadlines and responsibilities.
07-Oct-24	Training	Financial Literacy
16-Jul-24	Advisory meeting	Meeting with Compliance officer to review the IP.
05-Jul-24	Industry Seminar	Virtual Emergency Preparedness
02-Jul-24	Industry Seminar	Virtual Supervisory Skills
23-Apr-24	Advisory meeting	Meeting with PICC members on priorities. Members pointed out issues such as verbal abuses from supervisors and lack of communication during challenging times. Advisor will have a meeting with the HR managers so they can implement some changes.
12-Mar-24	Advisory meeting	Meeting with HR Managers on the priorities for the year. Factory faces several days of suspension due to the country situation. Managers fear about workers' security and shor
01-Mar-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Middle Management
23-Feb-24	Industry Seminar	Virtual Preventing and Addressing Sexual Harassment for Workers

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDIATION EFFORTS	MONTHS
Assessment October 2024						
Oct-24	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not establish measurable objectives and improvement targets	Ensure to have an adequate OSH policy		26
Oct-24	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Develop an adequate hazard/risk management and control procedure.		26
Oct-24	Occupational Safety and Health	OSH Management Systems	The employer does not investigate, monitors and measures OSH issues	Ensure to file evidence that management investigates and monitors OSH issues through: regular test, survey and inspections; Logging and analysis of violations of procedures.		26
Oct-24	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing elements in the disciplinary and termination procedures		17
Oct-24	Contracts and Human Resources	Employment Contracts	Management does not investigate violations of HR policies and procedures.	Establish proper performance evaluation procedures.		17

Oct-24	Occupational Safety and Health	Health Services and First Aid	Expired products found in first aid boxes	Ensure that the first aid boxes are well maintained and properly equipped.		
Oct-24	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Ensure that the medical staff can service the worker's needs.		141
Oct-24	Occupational Safety and Health	Worker Protection	Standing mats were not available for standing workers.	Ensure to provide standing mats to all standing workers.		34
Oct-24	Occupational Safety and Health	Worker Protection	25 percent of sewing machines are missing eye guards.	Ensure that sewing machines have all their necessary guards.		3
Oct-24	Occupational Safety and Health	OSH Management Systems	Management didn't provide any structural safety certificate.	Provide the structural safety certificate.		34
Oct-24	Contracts and Human Resources	Employment Contracts	The internal work rules does not cover date and time for wage payment.	Ensure to add the date and time for the wage payment in the internal work rules.		34
Oct-24	Compensation	Paid Leave	Annual leave payment is calculated on worker's average salary, it is not calculated on the average daily earnings.	Ensure that the annual leave is calculated on the average daily salary.		34
Assessment October 2023						
Oct-23	Occupational Safety and Health	OSH Management Systems	The OSH policy is not signed by top management and does not establish measurable objectives and improvement targets.	Ensure to have a OSH policy signed by top management.	Facility already has the OSH policy signed by top management.	
Oct-23	Occupational Safety and Health	OSH Management Systems	The factory does not have an adequate hazard/risk management and control procedures.	Develop an adequate hazard/risk management and control procedure.		
Oct-23	Occupational Safety and Health	OSH Management Systems	Management did not show evidence of that the employer investigates monitors and measures OSH issues.	Ensure to file evidence that management investigates and monitors OSH issues through: regular test, survey and inspections; Logging and analysis of violations of procedures.	Facility performed OSH inspection on a monthly basis. files are kept.	
Oct-23	Occupational Safety and Health	OSH Management Systems	Management has not assigned accountability at the level of OSH committee for carrying out Health and Safety responsibilities.	Ensure to assign accountability at the level of OSH committee for carrying out Health and Safety responsibilities.		
Oct-23	Contracts and Human Resources	Employment Contracts	The disciplinary and termination procedures are not adequate.	Include the missing elements in the disciplinary and termination procedures.		

Oct-23	Contracts and Human Resources	Employment Contracts	No evidence of performance evaluation procedures nor any investigations for violations of Human Resources policies and procedures.	Establish proper performance evaluation procedures and evidence of investigations for violations of HR policies and procedures to identify weaknesses and make necessary adjustments.		
Oct-23	Occupational Safety and Health	Health Services and First Aid	Insufficient number of nurses.	Ensure that the medical staff can service the worker's needs.		
Oct-23	Occupational Safety and Health	Welfare Facilities	During the assessment visit soap was not available in 2 buildings.	Ensure that soap is available in the restrooms.	Facility has provided soap, in the toilets, at all time.	
Oct-23	Occupational Safety and Health	Welfare Facilities	Insufficient functioning toilets for women.	Ensure to have appropriate numbers of toilets for men and women.		
Oct-23	Occupational Safety and Health	Working Environment	The level of lighting was insufficient in sewing and cutting sections.	Ensure that lux level are adequate in all section of the workplace.		
Oct-23	Occupational Safety and Health	Working Environment	The temperature level exceeded 30C in several sections.	Ensure that the temperature levels do not exceed 30 C.		
Oct-23	Occupational Safety and Health	Worker Protection	Standing mats were not provided to some workers in the inspection section. Also, several chairs were without backrest in another building.	Provide standing mats to workers in the inspection section and ensure that workers are provided chairs with backrests.	Standing mats and chairs with backrest are provided to workers.	
Oct-23	Occupational Safety and Health	Worker Protection	Management did not provide ladder for the storage of boxes in the trim warehouse.	Provide ladder for the storage of boxes in the trim warehouse.	A ladder was provided to workers in the trim warehouse.	
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found machine oil without chemical safety data sheets in the chemical warehouse.	Ensure that all chemical used and stored in workplace have their MSDS.	Machine oil was provided with MSDS.	
Oct-23	Occupational Safety and Health	Chemicals and Hazardous Substances	Assessors found unlabeled chemical containers in a toilet and the spot cleaning area of two buildings.	Ensure that all chemicals and hazardous substances are properly labeled.	All chemical containers are properly labeled.	
Oct-23	Occupational Safety and Health	OSH Management Systems	Management did not provide a structural safety certificate, and assessors observed cracks in the chemical warehouse but could not verify the safety issues for workers.	Ensure to have the building structural safety certificate readily accessible.		
Oct-23	Contracts and Human Resources	Termination	The annual leave payment upon termination is not calculated on the average daily earning.	Ensure that annual leave upon termination is based on the average daily earnings.		

Oct-23	Contracts and Human Resources	Employment Contracts	The internal work rules does not cover the break times, different categories of workers and their wages, date and time for wage payment.	Ensure that the internal work rules cover all categories of workers and their benefits.		
Oct-23	Compensation	Paid Leave	Annual leave payment is calculated on worker's average salary, it is not calculated on the average daily earnings.	Ensure that annual leave is based on the average daily earnings.		



Factory: **The Willbes Haitian S.A (HT - Print Shop)**
 Supplier ID: **2704**
 Location: Port-au-Prince
 Number of workers: **8**
 Date of registration: Feb-18
 Date of last two Better Work assessments: Jul-23 Nov-24

Advisory and Training Services

Note: This factory has had limited operations throughout the year.

11-Oct-24	Advisory Services	Virtual meeting with the bipartite committee on the factory' current operations. Meeting was held with the accountant to review the payroll.
16-Aug-24	Industry Seminar	Virtual Chemical Management System
5-Jul-24	Industry Seminar	Virtual Emergency Preparedness
2-Jul-24	Industry Seminar	Virtual Supervisory Skills
28-Jun-24	Industry Seminar	Virtual Supervisory Skills
26-Jun-24	Industry Seminar	Virtual Supervisory Skills
21-Jun-24	Advisory Services	Virtual meeting with HR team to work on compensation issues and update the improvement plan.
25-May-24	Bipartite Committee Meeting	Virtual meeting with bipartite committee members to review the progress and monitoring of the Improvement plan.
2-Apr-24	Industry Seminar	Virtual Supervisory Skills
27-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Industry Seminar	Virtual Supervisory Skills
26-Mar-24	Advisory Services	Virtual meeting to discuss the participation of the factory in Better Work training, current situations and changes made at the factory. Documentation r
26-Mar-24	Bipartite Committee Meeting	Virtual meeting with the bipartite committee to validate pending issues on the improvement plan. Meeting with the HR team to verify the payroll and employee contracts.
19-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
15-Mar-24	Industry Seminar	Virtual Workers' Rights & Responsibilities
23-Jan-24	Advisory services	Virtual OSH tour on emergency preparedness. Payroll Review such as ONA, OFATMA, BONI payroll, and annual leave payments.

ASSESSMENT	COMPLIANCE CLUSTER	COMPLIANCE POINT	DETAILS OF NON COMPLIANCE	IMPROVEMENT PRIORITIES	REMEDATION EFFORTS	MONTHS
Assessment November 2024						
Nov-24	Contracts and Human Resources	Employment Contracts	The factory does not investigates shortcomings in Human Resource performance.	Develop indicators and investigates shortcomings in Human Resource performance.		16
Nov-24	Contracts and Human Resources	Employment Contracts	The employer did not clearly assign accountability at all levels of management for HR responsibilities.	Assign accountability at all levels of management for HR responsibilities through : Job description for HR staff and Management, Organizational chart		1

Nov-24	Working Time	Overtime	The factory had no prior authorization from MAST before working on Sunday and overtime.	Request an authorization from MAST, to work overtime and on Sundays. Wait for authorization to be granted before working		1
Nov-24	Working Time	Regular Hours	Some discrepancies were found in the time records, because the factory does the attendance manually when the electronic system fails.	Instruct workers to acknowledge the manual validation of the attendance system.		47
Nov-24	Occupational Safety and Health	Emergency Preparedness	The last fire drill was conducted in June 2023 and the one before that, in December 2022.	Conduct an emergency drill every 6 months.		1
Nov-24	Occupational Safety and Health	Emergency Preparedness	The factory has an alarm system installed. However, it was not working when the assessors asked management to try it, because the electricity breaker was off.	Improve the preventive maintenance plan. Install an alarm system that is working properly in the workplace.		1
Nov-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide any prove of free medical check on a annual basis.	Pay the CDS and request OFATMA to conduct medical check on a annual basis.		1
Nov-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide any prove of free medical check for workers exposed to work related hazards.	Conduct medical check every 6 months for workers exposed to work related hazards.		1
Nov-24	Occupational Safety and Health	Health Services and First Aid	The factory did not provide any prove of free medical check within the first 3 months of hiring.	Pay the CDS and request OFATMA to conduct medical check for workers within the first 3 months of hiring.		1
Nov-24	Occupational Safety and Health	Worker Protection	The industrial platform ladder missing one side rail of at least 0.90m as recommended by the labor Code.	Replace or repair the industrial platform ladder.		1
Nov-24	Occupational Safety and Health	Worker Protection	The battery terminals in the generator are not properly protected.	Install insulation cover on the battery terminals.		1
Nov-24	Occupational Safety and Health	Chemicals and Hazardous Substances	During the factory tour, three hazardous chemicals were found without chemical safety data sheets.	Include this aspect in the daily or weekly checklist and assign someone to post safety data sheet where chemicals are used and stored in the workplace.		1

Nov-24	Occupational Safety and Health	Chemicals and Hazardous Substances	During factory tour, assessors found 1 unlabeled container of chemical and hazardous products.	Develop an inventory list and create labels for all chemical products used and stored in the workplace.		47
Nov-24	Occupational Safety and Health	OSH Management Systems	During the assessment visit, management failed to provide the emergency preparedness procedure.	Develop an emergency preparedness procedure.		35
Nov-24	Occupational Safety and Health	OSH Management Systems	Management did not provide any structural safety certificate, certifying the structure of the buildings meets the safety requirements for an industrial structure.	Contract a firm to assess the building structural safety.		16
Nov-24	Compensation	Social Security and Other Benefits	The employer collects and forward the workers' contribution to OFATMA. At the time of assessment visit no proof of payment for the month of September was share with assessors.	Forward workers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		1
Nov-24	Compensation	Social Security and Other Benefits	The employer pays the employers' contribution to OFATMA. However, no proof of payment for the month of September was share with assessors.	Forward employers' contribution to OFATMA within the first 10 business days of the next month for the previous month.		1
Nov-24	Compensation	Social Security and Other Benefits	The factory did not provide the salary statement and the proof of payment for OFATMA Work Related Accidents for the 2023-2024 fiscal year.	Pay OFATMA work related accident on time.		47
Nov-24	Compensation	Paid Leave	Factory did not share any proof of payment for sick leave during the assessment visit.	Keep proof of payment for sick leave.		1
Nov-24	Compensation	Paid Leave	Although the annual leave payment is calculated on worker's average salary, it is not calculated on the average daily earnings.	Calculate the annual leave on the average daily earnings.		1
Nov-24	Compensation	Wage Information, Use and Deduction	During the assessment, assessors found some discrepancies in the payrolls reviewed over the past three months.	Develop a manual attendance where workers can acknowledge the working hours.		16

Assessment July 2023

Jul-23	Occupational Safety and Health	OSH Management Systems	During the assessment visit, management failed to provide the emergency preparedness procedure.	Develop a procedure on emergency preparedness that includes: Reporting fires and other emergencies.		30
Jul-23	Contracts and Human Resources	Employment Contracts	There is no evidence that the factory investigates or uncovers shortcomings in Human Resource performance followed by a change in practice or procedure.	Develop a procedure on HR performance indicators.		11
Jul-23	Working Time	Regular Hours	A review of the working time record and interviewed with workers revealed discrepancies in the time record.	Have an accurate attendance recording system.	The factory use a manual attendance system with workers' signature.	42
Jul-23	Occupational Safety and Health	Emergency Preparedness	The assessors noticed source of ignition not properly safeguarded. Wires plug directly into an outlet in the mechanic shop.	Install electrical connector and add this aspect in the daily or weekly checks. Develop a proper procedure on emergency preparedness.	The Wires have been removed.	11
Jul-23	Occupational Safety and Health	Emergency Preparedness	Assessors observed that there is no fire extinguisher in the diesel stock area.	Install a fire extinguisher in the Diesel stock area. Add this aspect in the daily or weekly checklist.	A Fire extinguisher has been installed and the weekly checklist has been updated	80
Jul-23	Occupational Safety and Health	Health Services and First Aid	Medical staff is not available.	Hire the required medical staff.		11
Jul-23	Occupational Safety and Health	Working Environment	The level of lighting in the workplace is unacceptable.	Install additional light Develop a preventive maintenance plan.		11
Jul-23	Occupational Safety and Health	Working Environment	Workplace temperatures exceed Better Work recommended temperature 30 C or below.	Take action to reduce the temperature such as opening in the roof, water curtain, additional fans.		80
Jul-23	Occupational Safety and Health	Working Environment	Noise levels are unacceptable in the workplace.	1. Noise level should not exceed 90 dba for workers exposed to noise 8 hours/day. 2. Measure again the noise level & compare with threshold value		11
Jul-23	Occupational Safety and Health	Chemicals and Hazardous Substances	The chemical inventory was not accurate and did not include the name of all chemicals used in the workplace.	Assign staff members responsible for updating inventories of hazardous substances in the various locations where they are stored or used.		84

Jul-23	Occupational Safety and Health	Chemicals and Hazardous Substances	During factory tour, assessors found 1 container with no labelling indicating chemical classification, hazards and safety precautions.	Define who control the chemical container on receipt from supplier and control the label.		42
Jul-23	Occupational Safety and Health	OSH Management Systems	The factory did not share any structural safety certificate, certifying the structure of the building meets the safety requirements for an industrial structure.	Request a structural safety certificate from the city council or an Engineer firm.		11
Jul-23	Contracts and Human Resources	Employment Contracts	The factory does not have internal work rules approved by the Ministry of Labor. However, management shared with assessors a copy the internal work rules sent to MAST for proper authorization.	Develop an Internal regulation and send it to MAST for approval.	The Internal work rules is sent to MAST for approval and it has been approved.	11
Jul-23	Compensation	Social Security and Other Benefits	The factory is affiliated with OFATMA for accident insurance (Art 25 Annexed VIII code du travail), and they have paid late. The factory's management did not share the salary statement sent to OFATMA for fiscal year 2022-2023.	Have an agreement with OFATMA regarding the payment process. Keep records of the salary statement sent to OFATMA and proof of payments.	The factory reached an agreement with OFATMA to pay its debts in several instalments.	42
Jul-23	Compensation	Wage Information, Use and Deduction	A review of the working time records and interviews with workers revealed that only the management is responsible for clocking employees in and out, without any verification by the workers themselves.	Install an operational electronic punch system. Attendance record and payment must be consistent.	The factory has developed a daily attendance checklist that is reflected in the payroll.	11

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